THE UNIVERSITY BULLETINS NUMBER 11

THE UNIVERSITY OF NORTH CAROLINA

James Sprunt Historical Monograph

No. 3.

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No. 3.

Letters of Nathaniel Macon, John Steele and William Barry Grove, with Sketches and Notes by Kemp P. Battle, LL.D.

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INTRODUCTORY.

The James Sprunt Monograph No. 3 consists of letters, not heretofore published, from Nathaniel Macon, John Steele and William Barry Grove, written at various times from 1792 to 1824, with copious notes explanatory of the allusions therein. The originals are among the papers of General Steele, which were transferred to the University of North Carolina in accordance with the will of the widow of David L. Swain, once Governor and President of the University. The letters of General Steele are copies retained by him and in his handwriting. I prefix short sketches of each of the writers, and of James Hogg, to whom some of the letters of Mr. Grove were addressed. There will be found also a letter of Colonel Joseph McDowell, of Quaker Meadows, in reply to one from General Steele.

KEMP P. BATTLE.

378.76

NATHANIEL MACON.

Nathaniel Macon, of Huguenot descent, was born in Warren county, North Carolina, in December, 1757. His father, Gideon Macon, was a prosperous farmer, and his mother, Priscilla, daughter of Edward Jones, was of the best and oldest families of Warren. He was at Princeton University (then College of New Jersey) when the Revolutionary war broke out, left college and enlisted as a private, but resigned from the army by advice of General Greene, when he was elected to the General Assembly. He served as Senator 1780-'81-'82 and 1785 and '86; after that, giving place to his brother John, who was an esteemed Senator and Commoner for fourteen years. In 1791 he took his seat as Representative in Congress and was continuously re-elected until 1815 when he was transferred to the Senate. He was Speaker of the House 1791 to 1806. His service as Senator continued until 1828—for three years, 1825, 1826 and 1827 being President *pro tempore*. He thus had thirty-seven years of continuous service, elected with little opposition. Virginia voted for him as Vice-President in 1824. His leaving the Senate in 1828 was on account of the infirmities of old age. He thereafter resolved to lead a quiet life but was drawn from his retirement to serve in the Constitutional Convention of 1835, of which he was unanimously elected President. His last public work was as Elector on the Van Buren ticket of 1837. His death occurred the same year, June 29th.

His Congressional career, together with others of his letters, and additional particulars of his family and private life, are given in the James Sprunt Historical Monograph No. 2. In politics he was a very strict construction Republican, a

Crawford man and a Democrat, but he occasionally refused to follow his party when in his opinion it deviated from the straight path. He was a Trustee and warm friend of his State University. The strictness of his integrity in private equalled that of his political life.

JOHN STEELE.

John Steele, who, on account of having been elected by the General Assembly to the highest post in the militia, is usually called General Steele, was born in Salisbury, North Carolina, in 1765. He was the son of William Steele and Elizabeth, his wife, the latter being known in history for a most praiseworthy act in the darkest hour of the Revolution. On the 1st of February, 1781, Gen. Greene spent the night at her house. Dr. Read, who had charge of the American hospital at Salisbury, called to see him. Said the General: "I have ridden hard all day in the rain. I am fatigued, hungry, lone and penniless." Mrs. Steele overheard the words. She went to her hiding place and brought out two bags of specie, all she had, the savings of years, and gave them to him, saying: "Take these, you will need them. I can do without them." It was in her parlor that the picture of George III was hanging. Gen. Greene turned the face to the wall and wrote on the back, "Oh, George! hide thy face and mourn!"

John Steele, the son of this most excellent woman, was a merchant and a planter. He represented the borough of Salisbury in the House of Commons in 1787 and 1788, and in the Conventions called to pass on the Constitution of the United States in 1788 and 1789. His vote in both was given for the Constitution, which was ratified November 21, 1789.

Mr. Steele was chosen to be one of the first members of the United States House of Representatives, and took his seat April 19th, 1790. Hugh Williamson had preceded him on March 10th, John Baptist Ashe on the 24th of the same month, Timothy Bloodworth on the 6th of April, and John Sevier, from across the mountains, did not appear until the 16th of June.

General Steele was a warm admirer of President Washington but not an unquestioning supporter of all the administration measures. In common with his colleagues he opposed Hamilton's plan of the assumption by the Union of all the debts of the States contracted for gaining our independence, believing that it was impossible to adjust the account equitably. As might be expected he voted for the location of the seat of government on the Potomac. In 1791 he supported the bill for establishing a national bank, the constitutionality of which was fought so earnestly by Jefferson, Madison and their followers. Sevier agreed with him, but Ashe, Bloodworth and Williamson were on the other side. On the question of reduction of the army he was earnestly in favor of the measure, making strong and elaborate speeches, endeavoring to show the superiority of militia over regulars. His motion, however, did not prevail. Of his colleagues Ashe, Grove and Macon were with him on this question, Williamson against and Sevier absent. On the resolutions of censure of the Secretary of the Treasury, he voted uniformly, with Williamson, in opposition to Ashe and Macon, in Hamilton's favor. Grove favored one of the resolutions.

Mr. Steele's course in moving to reduce the army, being perverted into indifference to the sufferings of the frontiersmen from Indian hostilities, probably caused his defeat for the 3rd Congress. That he was appreciated by the State at large is shown by the fact that he was elected by the General Assembly Major General of Militia, and also at a later period, 1806, a Commissioner, with Montfort Stokes, afterwards Governor, and Robert Burton, who in 1787-'88 was a member of the Congress of the Confederation, to adjust the boundary line between North and South Carolina. For this purpose the commissioners chose as their scientific expert, Rev. Dr. Joseph Caldwell, President of the University of North Carolina. Their action was ratified in 1813.

In 1796, by the appointment of Washington, he undertook the responsible duties of first Comptroller of the Treasury, and

held this position until 1802 with such acceptability that he was requested by President Jefferson to continue in the office. He determined however to resign, chiefly on account of unwillingness to be separated from his family and similar unwillingness, to remove them to Washington.

It has been mentioned that he was a member of the House of Commons from the borough of Salisbury in 1787 and 1788. He was again a member in 1794 and 1795, also in 1806, 1811, 1812 and 1613. In 1811 he was Speaker of the House. He was again elected a member of the House on the 14th of August, 1815, but died on the same day.

General Steele married Mary Nesfield, of Fayetteville, N. C., whose ancestors emigrated from Dublin, Ireland. She survived him many years. They had three daughters, Ann, who became the wife of General Jesse A. Pearson, an uncle of Chief Justice Richmond M. Pearson; Margaret, who married Stephen L. Ferrand, M.D., and was grandmother of John Steele Henderson, late a representative in Congress from North Carolina, and thirdly, Eliza, wife of Colonel Robert MacNamara.

General Steele was universally recognized as a man of sound judgment and loftiest integrity. He was in all respects a model citizen.

WILLIAM BARRY GROVE.

Wm. Barry Grove, although once a prime favorite with a large and intelligent District and for twelve years a member of Congress, has almost disappeared from our history. As his family many years ago removed to the West or Southwest, their residence not being known, no information has been obtainable from them. Mr. Edward R. McKethan, a prominent lawyer of Fayetteville, and Mr. Allan A. McCaskill, an aged and very intelligent citizen of Cumberland, enable me to give a few facts of his history.

His mother married Robert Rowan, who gave the name to Rowan street in Fayetteville. His stepfather appointed him as one of the executors of his will and devised to him a lot of ground on that street. His residence was that of his stepfather, the colonial mansion at the corner of Rowan and Chatham street. It was a notable structure for that day, its situation on a hill, with the basement of brick, giving it a striking appearance. Mr. McCaskill remembers that its superiority to the other houses of the neighborhood was such as to remind him of an old baronial castle. It has long ago disappeared but the ground is called the Grove lot to this day. Mr. Grove dispensed a bountiful hospitality. The town was on one of the main lines of travel between the South and the North. Members of Congress, journeying, many of them on horseback, to and from the seat of government, often found it convenient to become his guests, the duration of the visits being limited only by the will of the guests.

As his stepfather devised to his mother his plantation, called Hollybrook, it is probable that he inherited it. At any rate his style of living showed that he must have had other in-

come than the receipts of his profession, that of the law, and his per diem as Representative.

Of the early life of Mr. Grove we know nothing. We first hear of him as in 1784 Register of the County of Fayette (as Cumberland was called by act of Assembly of that year, soon to resume her first name). His popularity is proved by his election to the House of Commons in 1786, 1788 and 1789. In 1788 he was likewise a delegate to the Convention called to consider the Constitution of the United States, and voted with the minority against the resolution to postpone it. He was sustained by his constituents, and the next year was elected a member of the Convention of 1789, as well as of the General Assembly. In this Convention he was one of the 194 against 77 which made North Carolina a part of the Union. He also succeeded in having the State constitution of 1776 amended so as to make Fayetteville a borough town, entitled to a member in the House of Commons, as were Edenton, Newbern, Wilmington, Halifax, Hillsborough and Salisbury. He had two years before induced the General Assembly to constitute Fayetteville a district court town, in which superior courts were held twice a year for several counties.

Mr. Grove's popularity was such that he was easily elected to the first Congress and continuously thereafter until he went down in 1803 before the irresistible Republican party. He was thus a member of the House of Representatives of the United States during the most critical period of the new government. He served during most of the administration of Washington, all of that of Adams and two years of Jefferson.

He was in the main a supporter of the measures known to be approved by the Federal leaders. On questions regarded as of peculiar interest to the South he voted with his section.

He opposed the bill giving bounties to the great Great Bank and Cod Fisheries. When Washington vetoed the bill to apportion representatives, because not in accordance with the Constitution, he sustained the President. He naturally favored the law for the restoration of fugitives laves, and did

not favor the proposal to levy duties on tobacco and sugar. He opposed the increase of our navy for the Algerine war. In the dispute with Great Britain, which led up to Jay's Treaty, he favored the non-Intercourse measure, and notwithstanding its unpopularity in North Carolina, voted for carrying into effect the provisions of the treaty. In this he was conspicuous for courage, as with him were only three members south of the Mason and Dixon line, all the other Southern members siding with Madison and other opponents of the treaty. He gave his vote for the direct tax, and for appropriating a sum sufficient to finish the frigates Constellation, United States and the Constitution, (old Ironsides). He generally sustained President Adams. He voted for protection to our commerce, and establishing a naval department. In contemplation of a probable war with France he favored raising a provisional army. He showed more courage than political discernment when, alone, of all the members from his State, he voted for the Alien and Sedition laws. Other measures supported by him are the suspension of Intercourse with France, the prohibition of the slave trade, mausoleum to Washington, and the repeal of the Sedition law. He opposed the the repeal of the act authorizing the appointment of additional judges, usually called the "Midnight Judges," also the admission of Ohio as a State, and the receding to Virginia and Maryland of jurisdiction over the District of Columbia.

The foregoing statement shows why Grove, like Davie and other able and patriotic Federalists, was unable to withstand the overwhelming forces of Jeffersonian Republicanism.

Grove's political career, was closed after losing his seat in 1803. He however did his State much service as an active and efficient worker for its University. It shows his high rank in the public confidence, that, when in 1789 in its charter were named as Trustees forty of the most eminent citizens who had already attained, or were destined to attain, the highest positions as Governors. Senators, Judges, Representatives in Congress, and the like, Grove was one of the number. He

held this office until 1818, probably the date of his death, and was always ready to give the struggling institution wise and ready aid. President Caldwell was in the habit of consulting him about the appointment of Professors, and the purchase of books and apparatus for instruction. On the whole he was an honorable, intelligent and highly respected servant of the people.

JAMES HOGG.

James Hogg was no politician and never aspired to, and probably would never have accepted, public office. He was, however, one of the most influential men of his day, and his descendants have been, and are now, most honorable and useful citizens.

He was a native of East Lothian, Scotland, and resided in that section until after his marriage and the birth of several children. He then removed to a farm leased by him in the parish of Reay, near Thurso. He was made a Justice of the Peace and, by his activity in the detection and punishment of crime, then very prevalent in the Highlands, he incurred the bitter enmity of the natives. In the autumn of 1770 a ship was wrecked on the rocks in sight of his home, and, as in duty bound, he displayed great energy and pluck in saving the goods from the wild wreckers, who claimed the ancient right of pillage. A company was formed to murder him. His home was broken into and finding that he was absent the malefactors burnt it. Nothing daunted he did not rest until the perpetrators were brought to justice. He then determined to emigrate to North Carolina, where some of his relations had preceded him. After much stormy weather and consequent delay he landed in Wilmington in 1774. By his persuasion a goodly number of his neighbors accompanied him, among them, the Straughans, or Strayhorns, Craigs, and McAuleys. He settled first at Fayettville, as a merchant, carrying on business at that town and Wilmington, in conjunction with his cousins, Robert and John Hogg.

During the Revolution he took the side of the colonies and served during the war on the Committee of Safety, travelling on one occasion to Connecticut on public business.

After the war he continued his mercantile pursuits for some years, and then concluded to retire from business and devote himself to agriculture. He purchased a plantation of 1160 acres on both sides of Eno river near the corporate limits of Hillsboro, and for some time resided on the north side of the river in what is now called "the Old House," in the beautiful park of the late Paul C. Cameron. He then in 1880 built him a home on the south side and named it Poplar Hill, for many years afterwards the residence of the Norwoods, now the model farm of Julian S. Carr, called Occonechee. There are still on the place ornamental trees and shrubbery of his planting.

Mr. Hogg was one of the picked men of the State—forty in number, selected in 1789 to carry into effect the mandate of the Constitution of 1776 requiring the establishment of the University. In those days of wretched roads and few bridges travelling was attended with numerous discomforts, but he was one of the most punctual and active Trustees. He was at the first meeting on the 28th of December, 1789, and at the second in November, 1790, when; as agent of General Benjamin Smith, he presented to the Board warrants for 20,000 acres of land to be located in West Tennessee, whenever the Indian title should be extinguished. He also answered to the roll-call in August 1792 and doubtless voted with the majority, for Cyprett's Bridge over New Hope in the county of Chatham, as the centre of a circle thirty miles in diameter, within which the University should be located. When one commissioner from each Jucidial District was balloted for to select the site, he was elected, the others being Wm. Porter, John Hamilton, Alexander Mebane, Willie Jones, David Stone, Frederick Hargett, Wm. H. Hill. On November 1st, 1792 he met at Pittsboro five of these commissioners, Hargett, Mebane, Hill, Stone and Jones. After inspecting various points in Chatham, they fixed on Chapel Hill, the owners of the land generously donat-1080 acres.

Mr. Hogg's interest in the University did not end here. He

assisted the young institution by his wise counsels in the selection of its professors, the adoption of its curriculum and starting on its career of usefulness, until his resignation in 1802, which was caused by a paralytic stroke, under which he lingered until his death in 1805.

The family name of James Hogg, which is said to mean in Scottish, a year-old lamb, is not among his descendants. Those were the days of rough jokers, who spared not age nor dignity. Annoyed by witticisms on boars, pork, shotes, pigs, hams, sausages and other hog products, in allusion to himself and his children, he applied successfully to the General Assembly to change the last name of his sons Walter and Gavin, to Alves, their mother's maiden name. He said that his daughters had power to change their own names and hence they are not found in the Act of Assembly.

He was a member of the great Transylvania Company, of which Judge Richard Henderson was President. This company assumed to buy of the Cherokee Indians an immense tract of country, part of the present states of Kentucky and Tennessee. The states of North Carolina and Virginia declared the sale illegal, but each allowed the company 200,000 acres by way of compromise. Some of the descendants of Mr. Hogg left the State and settled in Kentucky on part of this purchase.

The wife of James Hogg was McDowal Alves, daughter of Alexander and Elizabeth (Ingles) Alves. Of their children Walter and Gavin Alves were successively Treasurers of the University and the former was also Secretary and Trustee. Walter Alves was Commoner of Orange county in 1793, '94 and '95. He married Amelia Johnston, daughter of another member of the Transylvania Company, a merchant of Hillsboro, and settled near Henderson, Kentucky, said to have been named after John Henderson, who married his daughter. There are many descendants of Walter Alves, five of whom in the first quarter of the late century, were students of the University of North Carolina.

Of the daughters of James Hogg all changed their names. Elizabeth married John Huske, leaving two children, John, from whom are descended the Huskes of Fayetteville, prominent among whom was the late Rev. Joseph Caldwell Huske, D.D., and Anne Alves, the wife of Mr. James Webb, of Hillsboro, from whom came many excellent citizens. Helen, the second daughter, married Wm. Hooper, son of the signer of the Declaration of Independence of the same name, and had a son, William, who became a prominent professor of Ancient Languages and Baptist preacher. She married a second time, Rev. Joseph Caldwell, D.D., President of the University for thirty years. They had no children.

Robina married Judge William Norwood, and left a numerous and influential posterity, among them Rev. Wm. Norwood, D.D., of Virginia, the sound lawyer John W. Norwood, of Hillsboro, Colonel Wm. Bingham, Colonel Robert Bingham, and Major Wm. Bingham Lynch.

On the whole, considering the good he did in his day, and the incalculable beneficial influence of his descendants, it may well be doubted whether our State has ever had a more valuable citizen, than James Hogg.

LETTERS.

Gen. Steele to Col. Jos. McDowell.[1]

Salisbury Novemr. 20th, 1794.

Sir:

I have been informed by several persons that during the late Superior Court at Morganton, you took the trouble to circulate a variety of objections against my conduct, while acting in the capacity of a Representative in Congress.

What purpose these objections were intended to answer or what motives produced them are equally immaterial, the public manner in which they were mentioned entitles them to some notice. This can only be done at present by requesting that you will do me the favor to particularize in writing such parts of my public conduct as amount in your estimation to a dereliction of the interests of the State which I then represented and particularly what authorized you to say that I was not a friend to the western parts of North Carolina.

In doing this, let nothing be kept back, for scrutiny is desirable where motives are pure and actions virtuous.

Truth which is due to an enemy, as well as a friend is all I require, and if you have been imposed on by misinformation in regard to me, I will venture to believe, that your candour, upon being better informed will induce you to acknowledge it. In the meantime however I cannot help lamenting, that you or any representative of North Carolina should be willing to receive impressions unfavorable to a citizen of your own State, from the report of mere strangers, while Mr. Macon and Mr. Grove were present, from whom the truth, and all that the truth

might have been obtained. These gentlemen are independent of all parties, they must recollect that the Representatives of this State were unanimous on the motion to reduce the army as amended by Dr. Williamson, and in opposition to the extention of the indian war, they remember also the reasons which influenced these two votes, and on their report I intend to rest this part of the business.

Copy of a letter to Col. Jo. McDowal, inclosed to Mr. Grove.

[1] These first two letters throw light on the first letter of Macon, which follows.

All the letters are printed with the spelling, etc., of the originals.

Col. McDowell to Gen Steele.[1]

philedelphia Jan.-12th-1795.

Sir

I received your letter the contents of which I have attended to and as to what you mentioned that should have fallen from me at Morganton at the September terme, I recollect perfectly that when in conversation with the Judges & Some of the attorneys, when politics were the subject of conversation, and the parties in Congress mentioned and the part that different Characters had taken & you among others, I recollect mentioning that you were considered by a great number of the Members from the Southern States and by those from Pensylvania & Virginia in perticular, to have joined the aristocratical party, stating that when you first came forward and perhaps for the first Session you were strongly opposed to the [2] Secretary of State, & to certain men and measures, but that they had by some means they could not account for got you to join their party and that after which you advicated their Charactors & Cause more streneously than you had at first opposed it I not ready at first to credit this report but when so repeatedly stated, I began to suppose there was some truth in the assertions,

and as to what I mentioned respecting your Conduct towards the frontiers, that I took from the

assertion of Mr. Dayton of Jersey in the House which was not contredicted by any person and further it was mentioned to me in privet by Mr Clark who brought forward the resolution, for calling forth the Melitia for the protection of the Southwestern Frontiers to act on the defencive or offencive—which I found you Voted against and was told you exerted yourselfe in argument against which I did not think so much of as your ater Conduct as Stated by Mr. Dayton [3] in the House—when he Called up your Conduct and stated that you argued and acted differently when the galeries were Open than what you did when they were closed, and further Stated your—Calling up several letters, Charging the Conduct of the people on the frontiers and that assigned & exposed their conduct to the extent, and that you stated you well knew the Whites were as much if not more to blame than the Indians and mentioning your having a General knowledge of their transactions but how you acquired that knowledge I am at a loss to say, but admiting it to be the fact—Such an account of the Conduct on the frontiers must opperate strongly against protection being granted them as you well knew the Opposition which generally exists with Eastern States

and I do asure you I want to have been frendly enough to have wrote you respecting the—manner in which Mr Dayton araigned your Conduct, but expecting MrGrove or Mr Macon would as you and them was in the habit of corresponding with you, the infermation and report of your conduct made such impressions on my mind as I conceived to be my duty to make it known and in that way that you would heare of it, but as to my mentioning many people or taking pains to do it is wrong and as to what you mention about Motives you Sir nor no other Man under heaven has a right to call in question as I have given proffs Sufficient to the world—

the inclosed paper will give you the news—

I am Sir

your most Humble Servant

Jos McDowell

Genl.

John Steele—

NOTES.

[1] There were two Joseph McDowells. The writer of this letter was known as a "Quaker Meadow Joe," the other, his cousin and brother-in-law, being "Pleasant Garden Joe." The first was major at Cowpens and King's Mountain, often a member of the General Assembly, a member of the Constitutional Convention of 1788, and a representative in Congress, 1788-'95 and 1797-'99. In 1797 he was a commissioner to run the dividing line between North Carolina and Tennessee. He died August 11th, 1801, aged forty-five.—a strong Republican.

Joseph McDowell Jr.,of Pleasant Garden,was a physician, a captain at King's Mountain; member of the Constitutional Convention of 1788, and of the General Assembly.

[2] As Jefferson was Secretary of State it is probable that Col. McDowell meant to write Secretary of the Treasury (Hamilton).

[3] Jonathan Dayton, of New Jersey,—officer in the Revolutionary army, delegate to the Constitutional Convention of 1787; Representative 1791-'99; Speaker of the House, 1795-'99. A friend of Aaron Burr and suspected of being privy to his conspiracy in 1807.

Nathaniel Macon to John Steele.

Philadelphia Decr. 11th–1794,[1]

Sir

Your letter of the 22d ultimo [2] addressed to [3] Mr. Grove, which was intended as well to myself as him, has been shewn me together with its enclosures. The speech was delivered during my confinement the date of Clarks motion [4] will plainly shew you this, and I am really sorry that it is not in my power for that reason to say a word on that subject or to sign the certificate agreable to your desire, Although I was not present when you made the speech, I remember perfectly well, that you, Grove and myself agreed that the motion, which occasioned it, was a very im-

portant one, and that we agreed in sentiment on the subject, and as well I recollect the speech contains the substance of our conversations on the subject of the motion, except that I thought the constitution would not warrant the giving such power to the President, though I could not have made the observation in the house for a reason before mentioned. On a bill of a similar nature last session I made objections of the same kind. Indeed I am certain, that [4]I never shall consent to give such a power to any President —Grove and myself have examined the journal for the message of the President which you want, But have not been fortunate enough to find such a one, the other papers he will send you

It appears to me that proper reflection and time will convince every one, that you have deserved well of the State, It is said there are [5]two parties in Congress, But the fact I do not positively know, if there are, I know that I do not belong to either, But what is strange to tell, and at the same time must be a convincing proof that you acted independently, is, that there is good reason to believe that neither of these parties are desirous to see you here again—

With sentiments of respect and esteem
I am Sir
Yr most Obt– Sert
Nathl Macon

Genl. Steele

NOTES.

[1] The seat of government under the present constitution was for the first year 1789-'90 at New York, then at Philadelphia until 1800, then removed to Washington City.

[2] We have not a copy of this letter.

[3] Wm. Barry Grove, a sketch of whom may be found on preceding pages.

[4] It seems that Steele was accused of having joined the "Aristocratic party." Also that on Clark's resolution for calling out the militia for the protection of the Southwestern frontiers. Steele was in the opposition and was alleged to have said that the whites were as much to blame as the In-

dians. Of course it was charged that he was not a friend to the people of the West. He seems to have applied to Mr. Macon to set him straight.

[4] Abraham Clark, who offered the resolution was in the Continental Congress 1776-'82; in that of the Confederation 1787-'8 and Representative in Congress of the United States 1791-'94.

The Presidential powers considered by Mr. Macon to be dangerous were such as the exclusive authority to issue passports to those going beyond the Indian boundary line, to remove by force those attempting to settle west of the line, to give redress to those injured by the Indians.

[5] Historians are generally of the opinion that the advocates of a strong government and those jealous for States' Rights were in opposite camps before December 1794, Hamilton the leader of one and Jefferson of the other. Mr. Macon evidently means that these parties were not yet organized openly.

Macon to Steele.

[1] Buck Spring 15 Septr—1802

Sir

[2] Mr. T, has returned fr om Peterburg and delivered me the enclosed I hope it will be deemed satifactory to the gentlemen of the turf in and about Salisbury—I have nothing worth telling you, I live almost too retired for the neighbourhood news, I send to Warrenton now'& then for the news, and what is old to most others is new to me

I had like to have forgotten to have told you that I have a grandson, a stout and hearty looking fellow

We have generally pretty good crops of Corn, tobacco will be rather short both as to quantity & quality, but as some have planted a good deal of Cotton this may probably nearly balance the deficiency in the quantity of tobacco, I mean as to value

This is Friday though I am not sure what day of the month, I have guessed the 15th

I saw [3] General Davie to day who appears to be in in good health

I have only a word more, which is an important one

both to you & me, and will no little interest the feelings of some of my friends near you, which is this, That you will with the consent of your family leave home on your return to Washington so as to stay a day with me I would rather ask for a week or a month but this I fear would not be granted, one day is as little as could be asked, yet I know it is much for you & your family to grant; If it shall be convenient for you to make this trip, pray write me when I may expect you,— We have some races I believe in November at Warrenton, perhaps you could take them in on your way, if so I will advise unless it should be advertised in the papers the day

I have written this in some haste
I am Sir yrs. sincerely
Nathl Macon

(Mr. Steele)

These are the Weights agreeable to the New Market Rules of racing——

three	Year Old	to Carry	86 lb
four	Ditto	Ditto	100
five	Ditto	Ditto	110
Six	Ditto	Ditto	120
Seven	Ditto	Ditto	130

Sterling Gary
Keeper of the Course
Septr. 10. 1802

NOTES.

[1] Buck Spring was Macon's plantation, a few miles from the County seat of Warren County.

[2] The trade of Warren County was, in Macon's day, transacted in Petersburg, Virginia.

"Mr. T." is probably James Turner, who was a private with Macon in the Revolutionary war. He was Governor of North Carolina, 1802-'05, and United States Senator, 1805-1816. He had a large plantation in Warren and raised racehorses. His son, Daniel Turner was a Representative in Congress, 1827-'29. Daniel's wife was a daughter of Francis S. Key. A daughter of Governor Turner married George E.

Badger, a Judge and U. S. Senator. Macon also raised horses and patronised the turf.

[3] General Davie was Wm. Richardson Davie, ex-Governor and a special Commissioner to France together with Chief Justice Oliver Ellsworth and Van Murray. Their embassy averted war. Davie was called Father of the University of North Carolina. He was defeated for Congress in 1802 by Willis Alston.

Steele to Macon; (a copy).

Dear Sir,

I thank you for your two favors concerning the weights to be carried by running horses. The certificates will settle all disputes. Our Judges have concluded to fix the same for each day. Between fifteen and twenty horses are in keeping for these little purses. It diverts me to see how much the passions of men can be excited in competition even for trifles.

There are few things, my friend, I do assure you which could afford me greater pleasure than to pay you a visit in Warren:–but in my present circumstances it is totally impracticable. Since the last of Augt. my family has been so much indisposed [1](Mrs. Steele of the number) that I have not in my power to make any arrangements in my private affairs preparatory to their removal to the seat of Government, and it is too irksome to live there as I have done for some time past without them. Thus circumstanced I have found myself under the necessity of relinquishing (for the present) the intention of returning. The mail which carries this carries also a letter to the President requesting him to accept my resignation. After the sickly season [2] shall have passed, my plan is to amuse myself with improvements in agriculture, and as my principal business to resume a course of general reading which my appointment six years ago interrupted. These will fill up my time to the exclusion of politicks, and with them I trust every passion which could disturb a virtuous and tranquil retirement. I have done justice to my feelings by assuring the President "that I am duly sensible of

his polite treatment and that in future it cannot but be a source of pleasing and grateful reflection to me to have been invited by him to continue in the Office." This alludes to a letter which he had the goodness to write to me last summer before the recess of the Executive in answer to my application for leave of absence. The greater part of my letter to the Secty. of the Treasy. is on business. It contains the following paragraph.

"In conducting, for six years past, the business of an office distinguished for the labor and responsibility which it imposes my first object has constantly been fidelity to the public, the second, a respectful deportment towards those with whom it was my duty to maintain official intercourse. It will afford me no small degree of gratification to understand that I have succeeded in these to your satisfaction."

Mr. Macon.

[1] Salisbury and its neighborhood were for many years much afflicted with malaria. The existence of a large mill-pond was thought to have been the guilty cause. The great improvement in health since its abolition points to the truth of the theory.

Grove to Steele.

Fayetteville Oct. 1st 1802

My Dear Sir

I returned yesterday from Hillsboro where I went on the 6th Sept. with Mrs G on a visit to her friends, on my return I found in the Post office your favor of the 16th ult. which gave me the first information of your return home, altho' I made inquiry after you while in Orange. I hope your family have recovered since you wrote, & that you continue to enjoy good health in your native clime tho' Salisbury is loosing its reputation of being healthy.

From your letter & the copy of the one to the head of your Department, which you done me the favor to inclose for my perusal, I perceive with regret that you have new cause to be dissatisfied with your situation in the Govt.

As soon as I read the report of the *Investigating*, discriminating & criminating Committee, I could not help seeing the *deep cut* made at the Former Treasury Depart. From the temper and Views of the majority of the Committee, it was to be apprehended they would seize on every Possible case to injure the feeling & reputation of the former Administ. but from the Examination & report of the Committee of the session before last, on the Treasury Depart, I did suppose the *new iuvestigation* would find little to add, as to that branch of the Government, but in the spirit of the times, they have wisely and economically discovered, that for want of *their legal and saving construction* of the acts of Congress, monies have been disbursed without an act of appropriation, of course these monies should be refunded, & they the Committee appointed as a Standing Board of expounders —!—The contempt mixed with indignation which that late Report excited in me induced me to think, that the men of sense and decency of their party would condemn it, as a crude, partial, & ignorant production—& that tho' they might for political reasons *wink* at its censure, I did not presume that the head of any Depart. would sanction & adopt the report as the rule of their office—I am really sorry to find there is reason to believe it otherwise, & that the present Head of the Treasury in the case of '*Woodside* is disposed to give a new construction to the Law, so as to produce a clashing of opinion Between your Judgement & former decisions, and his own—If this difference of opinion on the meaning of Law, arises alone from the honest & impartial Judgment of the Secretary, or is unconnected with any other cause or motive than a desire to construe Laws fairly, I can not think it should add to your inducements to leave the Department—of this you alone can best judge— But while you are permitted to act and think independently on your own judgment and sentiments, & are treated with that delicacy and attention due to your success, your character & your situation, I most earnestly wish you to continue in office—If this is not the case, I know you too well, to suppose you would act with any set of men.

We have no news here, and were it not for the rail-

ings and abuse of [2] Duane, [3] Callender, &c. against each other, we should find the papers dull, but these fellows unfold some things worth knowing respecting the falsehood & knavery which has been going on among them, & are fulfilling two things, that Dog will eat Dog; and that when rogues fall out honest men come to their right.

I am very certain you join me in regretting—sincerely regretting the fate of poor [4] Spaight. He has fallen a sacrifice to his own violence of temper, for he might have adjusted his dispute with honor, without going to extremities.

Flour will probably continue about 5 to 6$—Cotton from $12 to 15$ per cwt, picked—3 to 3½ per cwt. in seed—and indeed I fear that all kinds of produce will be low compared to late years—[5] Shells are generally to be had here at ⅙ to ⅛d per Bushl. —lime is dearer & scarce.

Mrs Grove desires to be united with me in a tender of our best respects to yourself, & Family, and particularly to Miss Ann——

Believe me My Dear Sir

With real esteem & regard

Yrs Sincerely

(John Steele Esq) W. B. Grove

NOTES.

[1] Decision of Gallatin, Secretary of the Treasury, relating to drawbacks on sugar.

[2] William Duane, from 1795 to 1822 editor of the leading Democratic paper, the Aurora, of Philadelphia.

[3] Thomas Callender, convicted by the influence of Judge Samuel Chase for passages in his pamphlet, "the Prospect before us," which were construed to be libellous under the Sedition law. President Jefferson pardoned him.

[4] Ex-Governor Richard Dobbs Spaight, killed by John Stanly in a duel. The Federalists, as a rule, sustained Stanly. The Republicans declared that Spaight was in the right and that Stanly (a Federalist) was a murderer. Stanly was pardoned by Governor Benjamin Williams. The quarrel occurred in their canvass for Congress.

[5] Oyster and other shells were, at that date, bought in bulk

and burned for lime. They were hauled by wagon from Fayetteville to Chapel Hill for that purpose.

Macon to Steele.

Buck Spring 10 Octr. 1802.

Sir

Yours of the 30 ultimo has been received, and it is with real sorrow that I learn of your determination to resign. The reason which produces the resignation is surely a cogent one, but I think it probable that the season is approaching which will restore your family to health, and then you might with convenience have removed them to Washington; The office of Comptroller is surely among the most important in the U. S., especially as it relates to revenue; besides this, the settling accounts with foreigners, is one in which both the interest and honor of the nation are concerned; nor can I close this sentence without repeating my sincere regret at your resignation; who will be your successor I cannot even guess, no doubt many may be found willing enough to accept the office who know nothing of the duties; and I devoutly wish that a successor[1] may be found, adequate in all respects to the office; I know from the best authority that the President was highly pleased with your conduct, but I am repeating what I have before told

The hot foggy weather has injured tobacco in some instances by moulding it, The crop will not be large, nor of extraordinary quality, Cotton it is said promises well, The crop of corn is generally good

I wish more than ever to see you, but God alone knows when this will be, Had I the time to spare I would take a trip[2] to Salisbury

I am with perfect respect

Sir yrs. sincerely

Nathl Macon.

(Mr. John Steele
Now at Salisbury
No. Carolina)

NOTES.

[1] Steele's successor was Gabriel Duval, who was Comp-

troller until 1811. He was a Representative in Congress 1794-96, then Judge of the Supreme Court of Maryland. In 1811 he was appointed a Justice of the Supreme Court of the United States and held the office until 1836.

[2] By the travelling methods of that day a journey to and from Salisbury took about ten days, provided there were no freshets in the streams. These might delay the traveller much longer.

Steele to Macon.

Salisbury April 11th 1803

Dear Sir,

By Major Williams who left this place at the close of our court I wrote you a few lines in which I omitted to remind you of your promise to see me in the course of the ensuing summer. Nothing I assure you would give me more pleasure than to take you by the hand at my hut, and our girls hope you will favor them with the company of your daughter at the same time. They will do everything in their power to make her time while here pass agreeably. In return for a few weeks of your own society I will treat you with some of the *Visions* of a cidevant. A station in the background you know sometimes affords views not altogether uninteresting to those engaged in the busy scenes of the front ranks. The only merit of mine is that they have been formed with calmness and deliberation. [2] There is one important subject on which I cannot forbear to give you a few hints in anticipation. A good deal of reflection since has confirmed me in the opinion I expressed to you about a year ago. The reasons in support of that opinion wd. be too long for a letter by post. I allude to the Mandamus, and the fashionable doctrine which it was made use of to establish, that the courts have power to pronounce Acts of Congress unconstitutional and void. There is a remarkable coincidence in the arguments lately published of [3] Mr. Lee and the Chief Justice.[4] To whom the credit of originating and digesting them belongs is not perhaps material. Between them they have made the most of the occa-

sion. Logicians in the forum like Partizans in the field show thelr skill by passing the strong and selecting the weaker points of attack.

It is certainly a sound principle that in a well organized government of Laws as we believe ours to be every wrong shd. have its proper remedy. If this principle can be shown to have its effect in the cases stated by the Chief Justice the necessity for judicial interference will not exist, as all the arguments in favor of such interference are predicated on hypothesis that an injury has been done to the applicants by the Executive and that they are without remedy except from the Judiciary. This is the point which the Chief Justice and the learned counsel pretended to examine. By the theory of our Government the Legislature, the Executive & Judicial departments are in a certain degree, or for certain purposes distinct. It is inaccurate to suppose them equal in trust, or in power. The officers who compose the President's council are his constitutional advisers and with him form what is denominated the Executive. Should the Secty. of State a constituent part of this great department do wrong in his official capacity to an individual or the public with or without the sanction of the President the intimate relation which the constitution supposes to exist between him and the President may be dissolved by removal or impeachment after which he is amenable to the Judicial authority in the form of an indictment and perhaps by civil process. Until that connection be dissolved the official acts of a Secty. of State are to be regarded as the acts of the President. With respect to them he stands on Executive ground not examinable by the Judiciary. The courts have no constitutional power to inquire whether (for instance) a patent for land be wrongfully or rightfully withheld. If withheld the first step of a purchaser supposing himself entitled shd. be by petition to the President, afterwards if redress be refused by petition to the house of Repvs. where impeachments originate. The remedies in the power of these two authorities to afford cannot fail to be effectual, the course to be pursued to obtain them is plain and consistent with the most obvious principles of our Govt. It avoids that worst of political evils a

war of Departments, and the disorganization and public injury which such collisions produce in a country where opinion is free if neither of the contending authorities (as is the case with the Executive and the Judiciary) be in relation to the other paramount, and if one of them as the Chief Justice has avowed shd. refuse to acknowledge the Legislature as the common and rightly superior of both. Admit the right of the supreme court to step on Executive ground in the case of a patent or a pension and you subject at once the Comptr. to judicial discipline and all the vast concerns of the Treasy. to the revision of a department which in theory is the third but in practice aims at becoming the first power of the state. With respect then to the particular case of Mr. Marbury & others they cannot in my humble opinion demand either their commissions or transcripts from the records of the Secty. of State as matters of right and after the opinion given by the court that a transcript would be of equal validity with the original it would be wrong to furnish it as matter of courtesy. It was here that the Chief Justice showed his skill in passing over the most formidable objection without notice. Both he and the learned counsel treated it in their argument as a point conceded that the Justices ofthe peace for the district of Columbia are Judges in the sense of the Constitution. The law which provides for their appointment contains the refutation of this opinion. They are to be commissioned for five years and not during good behavior. There are but two descriptions of tenures by which offices are held under the constitution. All offices must be of one or the other. If the Justices are Judges in the sense of the constitution the law which limits their appointment to five years is *unconstitutional*, and of course according to the Chief Justice *void*. Any tenure different from that prescribed by the constitution "*during good behavior*" would be so. If they are not Judges in this sense they are like other officers removable by the President. The law can not be valid and void at the same time, good to vest the power of Judges but void as to the limitations of their authority. This is too great an absurdity to be seriously maintained, and yet without recurrence

to some such fiction it is difficult to perceive on what foundation the title of the Justices of the peace for the district of Columbia to hold their offices independently of the will of the Executive rests. It cannot be from the nature of the duties to be performed else the Comptr. Auditor, Accountants, Commrs. under certain laws and treaties wd. be equally independent for they all perform duties in a certain degree judicial, and in some points of view much more important to society. The act which provides for this appointment must then be presumed the only foundation of their independence and this proves as clearly as a point can be proved by implication that they were not to be regarded as Judges in the sense of the constitution and that the term of five years was fixed for their service merely that the Executive department might at stated periods review the roll and leave out such as age or other causes had rendered unfit without recurring to the painful alternative of removal.

The President is said to derive the power of removing all officers not commissioned to hold their offices during good behavior from the constitution, if so according to the maxims of the Chief Justice an act to divest him of that power or to restrain the exercise of it in terms wd. be unconstitutional and void. The consent of the President to such an act wd. be equally unconstitutional because Congress even with his approbation cannot alter the constitution. In England it is otherwise. But even there "the King is not bound by any act of parliament unless he be named therein by special and particular words. The most general words that can be devised affect not him in the least if they may tend to restrain or diminish any of his rights or interests:—for it wd. be of the most mischievous consequence to the public if the Executive power were liable to be curtailed without its own express consent by constructions and implications." The limitation of five years then cannot create an independence of the Executive to whom it exclusively appertains as incident to the power of Appointment to determine when and how vacancies happen free of any kind or degree of responsibility to the judicial department and consequently a right to demand the

Commissions, or transcripts of them, or to exercise in virtue of either the authorities of Justices of the peace contrary to the will of the President is without foundation. A case exactly in point occurred not long since in Pennsylvania. The present Gov. removed an officer, I think the Adjt. Genl who held his appointment under a law which fixed the tenure to a term of years like that of the Justices of the Ds. of Columbia. There was moreover a salary attached to this office which in a state where rights are so well understood and so highly valued as in Pennsylvania wd. not have been yielded if a power to revise and correct the procedure had been supposed to exist in the courts. However men may differ in their opinions as to the expediency and perhaps the justice of some parts of Mr. McKeans political conduct all I believe agree in paying homage to his professional knowledge and it is for this reason only that the case is cited.

Can the Judge, by Judicial sentence pronounce Acts of Congress unconstitutional and void? This is a power so transcendent and calculated to alter so essentially the relations which difft. departms. of Government bear to each other that it shd. have some better foundation than the constructive inferences of those who claim and are to exercise it. By the theory of our Govt. the three great depts. are distinct though not equal. The Legislature in the nature of things is supreme because it not only prescribes rules of action but possesses independently of the other departments the power of compelling obedience. Its members moreover are under the same solemn obligation to do right and support the constitution inviolate, and possess the same right to determine in their legislative capacity the meaning of its doubtful parts, that the Judges do in their official capacity. That both Houses of the Legislature formed as they are, the Presidents and heads of Depts. shd. be more liable to be mistaken or more disposed to violate it than perhaps a bare majority of the Judges of the supreme court is not to be conceded. Whence then originates the error in supposing that the judges possess this new & gigantic power? I answer, in the facility with which small bodies of men can be brought to

embrace an opinion favorable to their own dignity and official influence, to the common interest which gentlemen of the law feel throughout our country in extending their sphere of action by increasing the jurisdiction of the judicial dept. and as a necessary consequence the chances of litigation—but above all to inaccurate notions which are perhaps the offspring of the foregoing combination concerning the original distribution of the powers by the constitution and the indulgence with which that Dept. on accot of its weakness has been regarded by a generous people. If a bill having passed thro the forms of both houses shd. be returned by the President because he deemed it unconstitutional, two thirds of each house aftds. concurring it becomes a law the opinion of the Executive notwithstanding and the Secty. of State must receive and deposit it among the rolls accordingly. Can it be presumed that a prerogative defined with scrupulous exactness and limited in reference to the second department of Govt. sh'd have been intended by the convention to be confided to the third by implication in a sense as broad too as the most express words could convey it. A doctrine so entirely unsupported by reason and analogy cannot stand the test of examination. How then it may be asked are the Judges of the Supreme Court to act in cases where they conscientiously believe the law and constitution to be at variance? 1st they sh'd suspend their decision and present to the President a respectful representation for the purpose of having the attention of the Legislature called to the subject. If after considering the representation of the Judges an attempt be made to repeal the law without success, or if a session be allowed to pass without repeal or modification it then becomes the duty of the Supreme Court to acquiesce in the same manner as an inferior tribunal is bound to yield obedience to a superior. It is hence the difficulty originates. The Supreme Court cannot regard the Legislature as a superior tribunal and until its superiority is established decisively the question will remain unsettled. The solemn mockery of the oath applies equally to the members of the Legislature and of the Executive who were concerned in the passing as to the Judges and officers whose

duty it may be to execute a law which the latter may deem unconstitutional. A district Judge for instance may conscientiously believe a tax on carriages unconstitutional yet if adjudged to be otherwise by the Supreme Court he is bound to yield acquiescence and give it execution. It is equally clear that the Supreme Court owes and may be compelled to yield similar obedience to the deliberate and solemn acts of the Legislature the highest and most august tribunal of a free country. Order and the genuine relations of Govt. cannot long be preserved in any other way.

NOTES.

[1] Probably Marmaduke Williams of Caswell, who was elected to the State Senate in 1802 and the next year to the House of Representatives of the United States. He served until 1809, and then removed to Alabama, where he was a delegate to the convention which formed the State Constitution. In his old age he was County Judge.

[2] In the case of Marbury vs Madison, Secretary of State, the Supreme Court held that the plaintiff, having been appointed Justice of the Peace for the District of Columbia by the President and the Senate having approved the nomination, the commission having been duly signed and sealed and left by the late Secretary undelivered, was entitled to his commission, and that mandamus should lie to compel the delivery by the new Secretary of State, but that the act giving the Supreme Court original jurisdiction was unconstitutional. Although the power and duty of the Court to nullify unconstitutional acts is now universally conceded, able men in that day thought otherwise. General Steele's letters gives their line of argument.

[3] Charles Lee, Attorney General 1795 to 1801. He had been Delegate from Virginia to the Continental Congress.

[4] Chief Justice John Marshall of Virginia. He advocated in the convention of 1788, the adoption of the Federal Constitution; Envoy to France with Gerry and C. C. Pinckney in 1797; Congressman 1799–1800; Secretary of State 1800–'01;

Chief Justice of the United States, 1801 to his death, July 6 1835. Author of Life of Washington.

Macon to Steele.

Raleigh 11 June 1803

Sir

I have to acknowledge the receipt of your two letters the one by Major Williams, the other postpaid, The last received at Washington, I think was answered, though of this I am not certain; The great hurry of business and the very constant and lengthy sittings of the house may possible have made me neglect to answer, The house was very seldom in committee of the whole, and were in session from nine to eleven hours for a few of the last days; The fatigue occasioned by this constant delay, had nearly overcome me, though having relectuntly undertaken the task, I had at first determined not to yeild to any duty but the absolute loss of health. in this determination in every circumstance I uniformly persisted, and was for a short time after the adjournment really apprehensive, that my constitution was considerably injured, but this apprehension was soon entirely removed, and I have since enjoyed my usual good health

I have duly considered the contents of your last letter, and candidly acknowledge that I think there is great strength in your arguments, but my doubts are not completely removed. cases may be stated to shew that the court did not possess the power to declare a particular act unconstitutional, other cases might be stated in which it would seem that they had the power; of the first kind is the law to apportion representatives, The pay of Members of Congress, The articles of war for land & naval service &c. &c.; Because none of these require their aid to carry them into execution; of other kind is the power of the supreme court to hear any original suit, when the authority is not derived from the constitution, such an action for debt between the two citizens of the same state &c. &c. These would require their aid to carry them into operation, The court

must make every declaration of the unconstitutionality of a law at their peril; because the judges are made accountable for their conduct by the constitution, & if Judges could declare acts void; without being liable for their actions, they would be the supreme authority of the nation, and that without controul—and the only department in the Government where a power might be exercised to any degree, without the least check or controul by any other department of the Government; I confess the mode for the Judges to proceed, where they believe a law violates the constitution, as pointed out by you, would be the most adviseable, and liable to the least objection, both in practice and theory, but the true question is have the courts the power from the constitution of the U. S. to declare a law unconstitutional; In the case of the mandamus, the opinion of the Court as to the result was correct; the rule was discharged. but the reasoning which lead to the conclusion, seems to be directly opposed to it, and put me, in mind of a noted member of Congress who always spoke on one side, and voted on the other. if they had no power to determine on the merits of the complaint they had no authority to grant the rule in the first instance, and the mandamus ought not to have been issued, the argument on which the question seemed to be decided, had nothing to do with the question, but certainly had a squinting towards another, although I am not quite convert to your opinion as to the power of the Judges, I most cordially agree with you as to the Mandamus

I fear it will not be in my power, to visit you at Salisbury this summer, inclination is not wanting, and it is almost too strong to be resisted by poverty and inconvenience; besides the pleasure of seeing you and family, I could say much to you in the small way, which is too little to put in a letter, and would bear telling when it would not writing

I have written this in haste, without revising and without your letters by me, I mean this is an explanation if one should be necessary for not perhaps answering in every point, but an apoligy I hope necessary, and I will not attempt to make one———Permit me my friend to say to you, that I had rather you

would have not paid the postage of your letter, between us it seems almost too formal, I am well aware that it proceeded from great delicacy but I cannot help thinking, that you doubted whether to pay it or not, I will own to you, that I have often doubted that to do on like occasions. Write often and postage or no postage I will not scold you again, unless it be for not writing

Be pleased to offer my best respects to your family and believe me to be with sincere regard

Sir yr. most obt sert–

Nathl Macon

(Mr. Steele)

NOTES.

[1]Probably Gen. Sam'l Smith of Maryland; Colonel in the Revolutionary war; U.S. Representative in Congress, 1793–1803; and 1810–'22; Senator 1803-'15 and 1822–'33. Commanded the Maryland troops in the defence of Baltimore in 1814 and quelled the Baltimore riot of 1835.

Mr. Macon was usually accurate. This "always" is evidently an exaggeration.

Steele to Macon.

Salisbury Sept 12th 1803

Dear Sir

Accept my thanks for your favor of the 7th ulto. It came to hand when I was a good deal occupied with workmen in superintending some necessary alterations of the inside parts of my house which could only be done during the season when chimnies are not in use. This is my apology for not acknowledging it sooner.

It is natural that you shd. feel a little curiosity to know the fate of my essay in Toast making. I will endeavor to gratify it. On Friday evening preceding the 4th of July a very heavy rain fell at Lethe my river plantation where I had a considerable qunty. of wheat cut & in the field exposed to injury. This obliged me to go there instead of meeting the committee on Saturday morning the time appointed. I

however apologized for my absence by a note, and transmitted for their consideration the sketch which you have seen and which I am happy to find meets your approbation. The members of the Committee all attended except myself, chose Judge Macay [1] for their Chairman, proceeded to business. Of the seventeen which I submitted they adopted six without alteration. These were the 1st. The day &ca. 6th. Foreign nations in amity &ca. with a quotation from Mr. Jeffersons inaugeration speech 11th. The militia &ca. A nation armed &ca. 14th The Press &ca. 16th. The fair sex &ca. 17th. The State of Ohio &ca. Others they adopted in part but with alterations which can hardly be called improvements. The 2nd. 7th. 13th. 15th. they rejected altogether. To the 3rd. *The Fed. constitution* they annexed a sentiment incorrect in principle and in language. It was this. The paladium of our rights, let it never be violated. (The paladium of Troy from whence the term descended was in the sense of the Trogans incapable of violation.) The true paladium of our rights consists in our sense of their nature and value; in our virtue to chuse proper persons to represent us, and last of all in our swords. It is absurd to say that our rights are dependent on the Fed. constitution. We were free before it existed as now, perhaps not quite so tranquil. Instead of the 4th they substituted the memory of Genl. W. In favor of this alteration I understood it was urged by [3] Mr. H. that to connect with that name, any other name or description of characters wd. derogate from the respect due to it, as if he could have accomplished any thing without the cooperation of others Instead of the 5th They adopted simply "the President of the U. S." without even using the name of Mr. Jefferson. From the 8th They expurged the words [4] *Governor and* and adopted the remainder which was in substance the same but like the 5th not quite so respectful to the chief magistrate. Instead of the 9th & 12th some general, commonplace sentiments in favor of learning & commerce were adopted. Of the 10th the adopted the first part, *The absence of party spirit* and rejected what followed. (I regret that it was the fate of some of the best to be totally lost, or so mutilated as not to be worth

publication). The 14th might be improved by the alteration which you suggest and I sincerely wish that good men would quite to correct the evil upon your plan which appears to be the only practicable way. The greater part of the committee I understand were but Mr. H. from whom the opposition chiefly came was strenuous to retain some of those which were rejected; and they compromised for the sake of unanimity, and as a compliment to other members who also had been at the trouble to prepare sketches for the consideration of the committee. They complimented me by the adoption of more than my proportion, and probably if I had been present a few more wd. have been recd. and perhaps fewer alterations made.

I have seen the charge of Judge Chase[4] as published in the Nat. Intelligencer. It is extra Judicial and in humble opinion extremely indecorous; but if there were no other objections to it, on the score of principle it wd. be indefensible. Men in high public stations shd. be careful to guard agt. the influence of their passions always apt to mislead the understanding, if not corrupt the heart. The opinions of some of the Judges[5] on other subjects are so inaccurate and preposterous that I am not surprised at this, my only wish is that friend Moore[7] may prove as I am sure he will like pure gold, the more bright for being tried in such a crucible. Mr. Patterson[7] I consider also a man of sterling integrity; of some of the others you have long known my deliberate opinions. It is useless to repeat them.

The purchase of Louisiana is certainly a great affair. It will give lustre to to the administration which achieved it. Future Historians will rank it, (like the declaration of Independence the treaty of peace, the adoption of the Fedl. constitution) among the memorable events of our country, and shd. we also obtain the Floridas the acquisition will be as important in its consequences as any of them. The sum[8] to be given is large, but not too much. To have taken possession of the fortifications and other establishments necessary to retain it by force wd. have required much more. To think correctly on the expense of military enterprises we shd. call to our rec-

ollection the experience we have had in erecting fortifications on the sea coast, in the Pittsburg[9] & No Hampton expeditions, in prosecuting Indian wars, to say nothing of the delays and disgrace which have attended them. It is no disparagement to the pacific plan of the President that our Envoy arrived at a fortunate crisis. It is always the part of a statesman as it is of a Genl. to watch events and to profit by them; but even there it is ascribable wholly to accident, as it is the way of the world to make a man responsible for his bad, they shd. also give him credit for his good fortune. A few days ago I was imperceptibly led into a warm dispute with a Federalist an acquaintance of yours on the question whether the British Govt. wd. not be justified in taking possession of New-orleans at any time before the ratification of the treaty by our senate. A good deal was said on both sides, but I endeavoured to conclude the argument by placing it on this simple footing..... Were the French competent to sell? Yes. Were we competent to purchase. Yes. A fair sale and a purchase being made by competent parties, on the 30th of April a time too of general peace, any attempt by the British Govt. to prevent the execution of the contract by taking forcible possession of the place purchased wd. be an aggression which wd. justify war on the part of the U. S. He maintained however to the last that a treaty is of no validity until ratified, and as we are not bound to pay until the ratification we could not be injured by an event which wd. afford sufft. reason to refuse both. This was departing from the question, because shd. such an occurrence take place, we wd. nevertheless be at liberty to ratify and withhold payment until possession, which the french Govt. could not think unreasonable, or perhaps under such circumstances that Govt. might authorize the application of the purchase money towards dispossessing the Intruder. This wd. be a subject for subsequent negotiation, and not necessarily connected with the ratification. Another reason has been stated here which I have since seen hinted at in some of the papers to justify the British Govt. in such an interference, that the privileges secured to F and Spanish Vessels exclusively of all others are contrary to the stipulation

of the Treaty of London which guarantees to the subjects of Great Britain in our ports the priviliges of the most favored nation. Without contending that the stipulation in favor of F. & Sp. bottoms is not a favor granted but a consideration of the cession, or rather a reservation of certain rights for a limited period by a nation possessing at the time and about to yield a complete sovereignty, it may be replied that the treaty of London contains a provision in favor of british vessels of Canada in the No. Wt. ports of the U. S. exactly similar where the reason did not apply with near so much force as in the present case. See the article. A favor which we did not grant to F. V. in any of our ports nor even to B. V. except in the No. W. ports; this altho objected among ourselves as an unconstitutional provision was never I believe complained of by France; having no existing rights she could not reasonably object to an arrangement which deprived her of none and had for its object only the local accomodation of another, then with respect to those ports, like Britain now with respect to the ports within the Mississippi, A nation about to cede has a right to make its conditions, and there is certainly a clear distinction between a territory received under such conditions, and favors granted in the ordinary course of commercial arrangement. G. Britain having no actual participation in the trade of the Mississippi before could not I think have complained even if the treaty of cession had obliged us to exclude her vessels altogether but this would have been a departure from our system of policy which I hope always will continue to be "*liberal commerce with all nations, entangling alliances with none.*" There is however one stipulation in this treaty which I sincerely lament, because I am sure it will increase the difficulties of the Secy. of the Treasy. I mean the payment of the interest (of the stock to be created) in Europe. I suppose it must have been either insisted on by the F. Govt. or perhaps inadvertently agreed to by Mr. Livingston. It is for other reasons, beside the difficulties of remitting, an unfortunate part of the contract.

The foregoing is the copy of Gen. Steele,s letter retained by him. We have not the original.

Drafts respectfully submitted to the consideration of the committee appointed to prepare them for the 4th July 1803.

1st. The day.—Perpetuity to the principle of the revolution which it commemorates.—

2nd. The United States.—Common interest their best cement.—

3rd. The Federal constitution.—A good form of Government prepared for us by wise men in the spirit of mutual concession.—

4th. Our late illustrious fellow citizen George Washington and the long list of Statesmen and Heroes who cooperated with him in the establishment of American independence.—

5th. Thomas Jefferson President of the United States, and the Majorities of both houses of Congress.—Let the reflection that they are invested with powers delegated by the whole people inspire them with sentiments of justice and moderation and their political opponents with those of acquiescence and respect.—

6th. Foreign nations in amity with the United States.—Liberal commerce with all, entangling alliance with none.—

7th. The people of North Carolina.—Happy under a form of Government in theory simple, in practice safe and economical.—

8th. The Governor and Constituted authorities of North Carolina.—

9th. Our University and other institutions for the instruction of youth. It shd. never be forgotten that knowledge and virtue are the best preservatives of civil liberty.—

10th. The absence of party spirit.—Wherefore shd. it exist? "We are all republicans and all Federalists."

11th. (Public arsenals in proper situation adequate to the complete equipment of) The Militia.—A nation armed united and free is invincible.

12th. Agriculture, commerce, and manufactures.—Extension, and security to them all, they are the great sources of american prosperity.

13th. Public credit and the public debt.—An honorable performance of our legal engagements will

increase the one by the regular and speedy extinction of the other.

14th. The Press.—Let us learn to distinguish between its freedom and licentiouness.—

15th. Our rights on the Mississippi. Should diplomatic means fail Government may safely trust the final issue to god, and the energies of a people who will neither do nor suffer injustice.—

19th. The fair sex.—Without participation in public affairs their dominion is in the hearts of their countrymen.

17th. Our Sister State Ohio.—[The day is not distant when her importance to the Union (as a frontier) will be known and appreciated]—Young in years but growing fast into importance.

NOTES.

[1] Spruce McCoy, a Judge of the Superior Courts of Law and Equity in North Carolina 1790 to 1808.

[2] Archibald Henderson, son of Richard Henderson, who was a Judge prior to the Revolution, and brother of Chief Justice Leonard Henderson. He was the leader of the bar of Rowan, and Representative in Congress 1799 to 1803; a Federalist.

[3] The Governor thus "scratched" was a Republican, James Turner, of Warren county. He was elected thrice, 1802–'05. At the close of his term as Governor, he was chosen to be United States Senator and served until 1816. Further notice of him is given elsewhere.

[4] Samuel Chase, of Maryland, Judge of the Supreme Court of United States, 1796-1813. His charge to the Grand Jury of Baltimore, May 2nd, 1803, was extremely obnoxious to the Republicans. He declared that the repeal by Congress of the law for the election of sixteen circuit judges, the establishment of universal suffrage in Maryland and further alteration in the state judiciary contemplated, will take away all security for property and personal liberty. "The independence of the national judiciary was already shaken to its foundation. Our constitution will be a mobocracy, the worst of all possible governments," and more to the same effect.

The impeachment against Judge Chase alleged injustice, partiality and intemperate conduct and language. There were eight articles. The first alleged misconduct in the trial of Fries, the next five similar outrageous conduct in the trial of Callender for libel; the seventh charged wrong-doing in refusing to dismiss the grand jury until they should indict a printer for treason, and Article VIII. characterized the charge to the grand jury at Baltimore as a prostitution of the judiciary to low partisan purposes, with intent to arouse hatred against the government of Maryland and of the United States.

Twenty three votes for conviction were necessary, as it takes two-thirds to convict. On the first article only 16 out of 34 voted guilty; on the second only 10; on the third 18; on the fourth, not one; on the fifth only 6; on the sixth 10; on the seventh 10; on the eighth 19.

Samuel Chase was a signer of the Declaration of Independence, an ardent and useful patriot, an extreme Federalist, an able lawyer, but of overbearing disposition.

[5] The other Judges were besides Chief Justice Marshall, 1801–'35, William Cushing, of Massachusetts, 1789–1815, William Paterson (so spelled), of New Jersey, 1793–1806, Alfred Moore, of North Carolina, 1799–1804.

[6] Alfred Moore had been a Captain in the Revolution, and Attorney General and Judge of North Carolina.

[7] Wm. Paterson, had been member of the Continental Congress and U. S. Senator. In the Convention of 1787 he was author of the "New Jersey Plan," which guarded the sovereignty of the States.

[8] The price was $11,250,000 in United States stock payable in fifteen years, and also $3,350,000 due by the French government for depredations on our commerce; in all $15,000,000. The purchase was supposed to contain over a million square miles, that is, over 640,000,000 acres, about twenty three cents an acre. The white inhabitants were about 50,000 of French and Spanish birth and 40,000 slaves. The treaty was

negotiated with Napoleon by Robert R. Livingston, but Monroe, being sent by Jefferson specially for the purpose, joined with him in completing the negotiation.

[9] Mr. Steele probably refers to the expenses of suppressing the Whiskey Insurrection in Pennsylvania and Shay's Rebellion in Massachusetts.

Macon to Steele.

Washington 27 Novr. 1803

Sir

I write to you now, not because I have anything worth writing, but because I hope it will be the means of inducing you to give me the news of Salisbury, This place affords nothing new, which you will not find in every news paper; The vote to repeal the Bankrupt act,[1] was not a party one, & the few who opposed the repeal, were not, one excepted, in favor of the principle, but wished it amended and to expire by its own limitation

It is believed, that it will be known here, in 15 or 20 days, either that the U. S. are in possession of New Orleans; or that the Spanish Government[2] there will not deliver it to the U. S, no fact is yet known here to induce a belief, that it will not be surrendered; every thing tranquil at New Orleans as late as 11-instant, no act at that day done, which indicated the least hostile intention

I cannot think of any thing else to write, and were I to see you it is possible, a thousand small affairs might come to my recollection which might serve to excite laughter

I am with great respect

Sir Yr. most obt sert

Nathl Macon

(General Steele
Salisbury
No Carolina)

NOTES.

[1] Passed April 8, 1800. Repealed October, 1803. It was thought to be "prolific of fraud, wastefulness and a wild

spirit of speculation." The vote for repeal in the House was 99 to 13.

[2] In 1682, LaSalle took possession of the territory and named it after Louis XIV. Bienville founded New Orleans in 1706. In 1762, France ceded the territory to Spain. In 1800, Spain retroceded it to France. In May 1803, France sold it to the United States. December 20, 1803, Laussat, Commissioner of France, formally surrendered it to Wm. C. C. Clairborne and James Wilkinson, Commissioners of the United States. A body of militia of Ohio, Kentucky and Tennessee, was held in readiness, and a small force of Tennesseeans was moved to Natchez, in order to quell any resistance on the part of the inhabitants, but none was offered. The province was at once divided into two territories, that of Orleans, and that of Louisiana. Wm. C. C. Claiborne was the first Governor of Orleans, in 1812 the State of Louisiana.

The Spanish Government, through the Marquis de Casa Yrujo, strongly protested against the right of France to alienate the territory, alleging that there was an agreement not to do so, and, secondly, that the sale to France by Spain was not binding, because the contract of the former in regard to Tuscany, which was the moving consideration, had not been carried out.

Macon to Steele.

Washington 11 Decr 1803

Sir

Your letter[1] of the 25 ultimo has been duly received, and the remarks therein made ought to satisfy every one on the subject; but it is no easy thing, to satisfy those who make improper and unjust demands and expect to support their claims, not by the law, but by an evasion of it, and not by an evasion, which justice could warrant

The letter therein referred to, has been received, and an answer was left at home to be sent to Warrenton to be put in the mail for you; I suppose it is

still at home, and must remain there at least till my return

By the papers you will see, that hitherto we have had nothing like a storm in Congress; it is however true, that we have had a brisk gale or two, but of short duration;

I do not expect, that any subject will be before the house, which will produce the general sort of debate, which you have sometimes witnessed, and which never added much to the reputation of the speakers or to the character of the Nation

The forming a Government for Louisiana will probably be the most difficult part of the present session I say this, because I have heard several plans spoken of, neither of which would I believe be adopted

I have sent this scrawl in some haste,

I am Sir
most sincerely
Nathl Macon

(Genl- Steele
Salisbury
No Carolina)

NOTE.

[1] We have not this letter. The claim from Rhode Island, elsewhere explained, is probably alluded to. Mr. Steele when Comptroller rejected it.

Macon to Steele.

Washington 12 Feby 1804

Sir

I have duly received yours of the 19 ultimo, and sincerely wish it was in my power to communicate to you, all the wishes and intentions of every Department of the Government, It is I think quite probable that no one knows less of them than I do, my situation in the House keeps me almost constantly confined, and I am generally so tired of politics by the evening, that I had rather hear of anything else, besides a hurt which I received on my way to this

place, has kept me much at home, so much so, that I have not been able to make such enquiries as I have heretofore done

On the subject of the lands [1] claimed by citizens of N. C. and others lying within the Indian border line, and within the limits of Tennessee, I know not what to say; Those who ought to urge a decision of the house on that point, seem always to be otherwise engaged; I shall most certainly use every effort in my power to have a decision, but it is one of those questions that I have so often supported, that I cannot now think of any thing new on the subject, and most cordially hate to repeat old speeches, even to new members. I have however a hope, that both the N. C. & Tennesseee members will perfectly understand the question, and treat it in such a manner as to make others completely comprehend it. I have indirectly heard, but I do not now recollect in what way scarcely or from whom, that the President was very desirous to get the Indians especially those to the South to remove themselves over the Mississippi

The British Minister [2] has kicked up a little dust about his & his wife's rank, such as going first out of the sitting to the dining room; having number one given to his wife at the dancing assembly, and this prank of the Briton, has acted as a spur to the Spaniard, and the Marquis the [3] Casa Yrujo has also taken it into his head to shew a trick or two about this new fangled doctrine of rank, where the people nor their form of government acknowledge any; However I suspect both the claims, although not for money, will meet, the same fate, which claims so often meet from the Committee of claims, that is, leave to withdraw

There is at this moment a great deal of business before Congress, though none of much consequence, except forming a plan of government for Louisiana, and carrying the revenue laws of the U. S. into operation in that Country; The quantity of business seems necessarily to put an adjournment a good way off, but the quality of it, is much against a distant day; yet it is impossible to form any tolerable correct opinion when an adjournment will take place

Accept my best wishes, and believe me to be very truly

Sir Yrs. Sincerely
Nathl Macon

(General Steele
Salisbury
No Carolina)

NOTES.

[1] By Acts of the General Assembly of North Carolina of 1782, 1783 and 1784, the warrants for lands granted to the officers and soldiers of the Continental line of that state were to be located in what was called the Military Reservation, in the western part of what is now Tennessee. In December 1789, North Carolina passed the Act of Cession of Tennessee to the United States which was approved by Congress, April 2nd, 1790. In this Act the rights of the officers and soldiers were protected. In 1796, Tennessee was admitted into the Union but the unappropriated lands were not ceded to her. Tennessee claimed that North Carolina's rights expired in 1792 because the time of the claims was originally limited to that date and the latter state had not reserved the power of extension of the time. In 1799, Tennessee asserted by resolution her ownership as sovereign of all unlocated lands within her limits. In 1801, she confirmed all prior entries under grants, and prohibited by heavy penalties any further action by North Carolina surveyors and entry takers. In 1803, she appointed Judge John Overton to adjust the difficulties with North Carolina, which resulted in giving the latter the right to issue the military warrants.

In 1806, Congress in a spirit of liberality ceded to Tennessee, the title of the United States, reserving the claims of North Carolina under the Act of Cession, and certain Indian titles. The part not ceded was about one-third of the state, and was west and south of the line known as the Military Reservation line.

The Indian titles thus reserved were those of the Chicka-

saw Indians under the Piomingo Treaty of 1786. By treaties in 1805, 1816 and 1818 the Indians agreed to sell their rights and move beyond the Mississippi. After satisfying all claimants, between two and three million of acres remained, which in 1846 were donated to Tennessee by Congress. The proceeds of the sale of one-third of such military land warrants as escheated to North Carolina formed the endowment of her State University prior to the Civil War, the other two-thirds being taken by Tennessee for her own colleges.

[2] Jefferson adopted the rule of "pell-mell" for his dinings, i.e. that there should be no precedence, no grades among foreign ministers. "All are perfectly equal, whether foreign or domestic, titled or untitled, in or out of office." Anthony Merry, the British minister, arrived at Washington in the fall of 1803. He and his wife were invited to a reception on December 2nd, and contrary to usage, (France and England being at war) the President urged with success, M. Pichon, the French chargé, also to attend. When dinner was announced the President escorted Mrs. Madison and placed her on his right. Madame Yrujo, the wife of the Spanish minister, was placed on his left. Mr. Merry, without being assigned to any seat, started to sit next to Madame Yrujo, but was crowded out by a member of the House of Representatives. M. Yrujo wrote home that Merry and his wife had reason to resent the, apparently studied, preference given to himself and wife over Mr. and Mrs. Merry.

Soon after at Madison's reception the host took to the table the wife of the Secretary of the Treasury, Gallatin, and in the confusion on account of this unexpected conduct, Mrs. Merry was left alone, until her husband walked up and offered her his hand. M. Pichon wrote that in his opinion the Secretary of State wished "Mr. Merry to feel more keenly the scandal he had made." The scandal consisted in Merry's assertion that his treatment by Jefferson was intended as an insult to the nation he represented.

Mrs. Merry, whom Jefferson in a private letter calls a vir-

ago, was indignant at her treatment. She was joined by Madame Yrujo and a tempest was stirred up in the tea pot of Washington society. An explanation of the American usage of equality was made, but it was not successful in producing peace among the ladies. Jefferson praises Merry but adds "if his wife perseveres she must eat her soup at home, and we shall endeavor to draw him into society as if she did not exist."

Jefferson's disregard of etiquette was approved by his party, but was contemptuously denounced by the Federalists.

Comptroller Duval to Macon.

Comptroller's office F 16. 1804

Dear Sir

Having been informed, that you have received a letter from Mr. Steele relative to the Rhode Island petitions, which have been referred to me by the house of Representatives, & presuming that it may throw light on the subject, I have to request the favor of a perusal of it, unless it contains matter of a private nature, or unless there may be any other matter which may forbid a compliance with my request

I have the honor to be
with great respect & esteem
Your obet. sert-
(signed) G Duval

directed to me
NM

Macon to Comptroller Duval.

Washington 17 Feby 1804

Sir

Agreeable to the request contained in yours yesterday, I herewith enclose you the letter of my friend Mr. Steele; It may not be improper to state to you, that this letter is an answer to one from me to him, & that it was thought due to him to transmit with my letter the statement which was presented to each

member of the House of Representatives on the claims referred to in his letter

I am with great respect
Sir Yr. most obt. sert–
(signed) Nathl Macon

directed to the Comptroller of the Treasury—with the following—N. B. after reading please to return the letter

Macon to Steele.

Washington 26 Feby 1804

Sir

Herewith you will receive the copy of two notes; If I erred in letting the present Comptroller read your letter, you will pardon it I am sure, either Mr. Gallatin or some member of the house to whom I communicated the contents or permitted to read it, must have informed him of it, I confess to you my anxiety on the subject of the Rhode Island petitions, would not permit me to delay sending your letter as requested; On the committee of commerce & manufactures it certainly had an effect, because they had before the reception of it reported in favor of some of them, I believe the securities; afterwards it recommitted to the same Committee, because it was stated, there was more testimony to be laid before the committee, and after retaining them a considerable time, The Committee asked to be discharged, & to have the petitions referred to the Comptroller, both motions obtained,

I have not heard, whether the comptroller has decided on them, The reference to the Comptroller, is rather a new proceeding in Congress, The general practice having been, not to refer subjects on which a Committee had acted to any department

The Supreme Court I understand have decided in favor of the sugar refiners, This question was brought before the Court by an appeal, from a circuit court, which decided against the refiners

I know of nothing else either legislative, executive, or Judical worth telling, nor even the substance of

the testimony which has been collected against Judge Chase.

I am Sir truly yrs
Nathal Macon

(Genl- John Steele
Salisbury
No Carolina)

NOTE.

[1] By the courtesy of Hon. R. J. Tracewell, the present Comptroller, I learn that there were conflicting claims to the bounty offered for a four months fishing cruise by owner, master and crew of the schooner, employed. Congress ultimately paid the bounty to the owner or his agent.

Macon to Steele.

Washington 25 March 1804

Sir

Late last evening I had the pleasure to receive yours of the 15– instant, and acknowledge it early this morning, lest the book of accounts should prevent my doing after breakfast

Every thing this two days past has been hurry, but yesterday the H. of R. cleared the table of every order of the day, on which it is expected it will act in the present session; some bills of real importance are yet before the Senate, and tomorrow is the day fixed for adjourning; The loss of the Philadelphia, and the effects it may produce on Tripoli in particular and the Barbary powers in general are not easily to be calculated, but the situation of the unfortunate captives is readily felt

I am very sincerely your friend
Nathl Macon

(Genl Steele
Salisbury
No Carolina)

NOTES.

[1] Bainbridge commanded the Philadelphia a 38 gun frigate,

in the war with Tripoli. On October 21, 1803 he chased an enemy cruiser into shoal water and, while hauling off, struck a reef. The Tripolitan gunboats captured his vessel and succeeded in floating her under the guns of the castle. Lieutenant Stephen Decatur was detailed by Commodore Preble to take seventy five men in a captured Tripolitan vessel to destroy her. On the night of February 16th 1804 he ran into the harbor, boarded the Philadelphia, threw her crew overboard, burned her to the water's edge and escaped without the loss of a man.

A Treaty of Peace was made June 4th, 1805 by which Tripoli agreed to cease depredations on our commerce, and on payment of $60,000. to release all American captives.

Steele to Macon

Salisbury June 7th 1804

The want of something, My friend, which wd. be worth postage has delayed until now the pleasure I shd. otherwise have had of acknowledging sooner the receipt of a letter which you did me the favor to write to me about the close of the late session of Congress. It contained, if I remember rightly, the first intimation I received of the capture of the Frigate Philadelphia, and perceiving lately that though lost to us she is also by the gallant conduct of Capt Decatur lost to our inhuman enemies, the same occasion will serve to convey to you my condolence and my congratulation for these two events. This mode of balancing the account is the more agreeable to me too, as I am not in the habit of indulging myself in complaints about public or private misfortunes All nations and all men are liable to them, and when they happen "a wise man has nothing to do but to sit down and digest them." I sincerely hope however, that our brave Tars will not remain long in captivity, and that they will find a suitable remuneration for their sufferings in the gratitude of their country.

You were kind enough last winter to give me some information concerning the 'Rhode Island pamphlet

but I have not yet learned the final issue of that application to the Government. The courts gave judgment according to my construction—the Treasy. authorized stay of execution that application might be made to the Legislature for relief as no other power of the Government appeared competent to afford it Congress declined interference, discharged the committe and transmitted the cases for further order to the Comptr. Here your last letter left the affair which on the part of Congress seemed equivalent to a direction *to let the executions issue.* Was this the impression at the time, or had the Treasy. adopted any more opinion concerning the law or the merits of the cases?

I wish you would also inform me whether the ex-Justices [2] of the District of Columbia have revived their application for a mandamus agt. the Secty. of State; and what appeared to be the opinion of the most sensible and dispassionate men in Congress as to *the Judicial management of that subject* The motion you know for a rule was dismissed but the Chief Justice in assigning the reasons of the court not only admitted the right of the applicants to redress but pointed out (in terms sufficiently explicit to be understood) the mode of obtaining it.

A [3] question of vast magnitude to the whole state of North Carolina and especially to the inhabitants of what is called Lord Granville's part of it is to be decided by the same gentleman at the ensuing Federal court at Raleigh. It is not possible that as individuals we are in any danger of losing, or of even being disturbed in the possession of our estates by the decision:—but nevertheless as a public question it is entitled to attention and as citizens of a community so deeply implicated both in its political character and its pecuniary interests, it is natural that we shd. feel an unusual degree of solicitude. The payment of quit rents alone (even since the Treaty of peace) unconnected with any question concerning the right of soil wd. produce very great embarassments:—a decision of both agt. us would be attended with the most serious consequences. I think I have heard some years ago, that a similar [4] question was decided in the courts of Virginia in relation

to the title and claims of one of the Proprietors there perhaps Lord Fairfax, and that our presiding Judge first as Counsel on the part of Lord F. and afterwards in virtue of a *joint interest* was concerned and had the principal management of the cause, I am not sufficiently informed to say whether there is any anlaogy in the cases, and if there be, whether the decisions in Virginia were of a nature to increase or diminish our apprehensions. It is probable your neighbor [5] Judge Hall understands this subject fully. Perhaps it has been considered at the seat of Govt. Be so good as to favor me with your ideas, and information upon it.—

I have lately seen, and not till lately the pamphlet of Aristides, [6] in vindication of Mr. Burr. It indicates a degree of rancorous irritation among men in the State of New York of which I had supposed the american character was not yet susceptible. It is indeed to be lamented, that instead of union and affection we shd. discover in any part of our country such evident symptoms of deep rooted animosity and distraction. Contemplating scenes of civil discord the great and good Jos. Addison might well exclaim "Gods what havock doth ambition make among your works."

Yours sincerely, Adieu

Jno. Steele

Nathaniel Macon Esqr.

Let me know if you please to what part of the country Mr. Orr has removed from the City of Washington. I wish to write to him but do not know by what mail.

J.S.

Civilians are not better agreed on any point in the whole science of Govt. than that party spirit is the evil genius of republicks and that the dangers to be apprehended from its excess are in exact proportion to the degree of freedom enjoyed within, and the remoteness of hostility from without. This consideration alone shd. induce virtuous men in high public stations who derive thence an increased portion of influence in society to endeavor not vainly to deprecate its existence, for in the nature of free govern–

ments it cannot be prevented; but by the inculcation of wise, just, and patrictic maxims of administrations to moderate its effects, which is all that is attainable or perhaps even desirable. A cooling regimen is best calculated to preserve unimpaired the health and vigor of the american body politic, and to give proper employment and direction to its intellectual powers. With respect to the Southern States I am sure this treatment is necessary and would prove salutary. Those who recommend a difft. course are weak passionate or ambitious men; some of them sincere perhaps in their opinions, but certainly not profoundly skilled in the leading principles of civil society, the nature of man, and the conflicting interests of our country geographically considered.

NOTES.

[1] See note to letter of 26 February, 1804.

[2] The Supreme Court, in Marbury vs Madison, held that while it had not original jurisdiction it did have appellate jurisdiction. Marbury however did not bring suit in the lower court, probably because he had only a five year term, and so much time would elapse before he could get a dceree, the gain would not justify the expense.

[3] Earl Granville alone of the Lords Proprietors refused to surrender his one eighth title to Carolina. His share was allotted to him in severalty in 1774, being the land between the Virginia line and 34° 36′ N. He sold many tracts reserving quit-rents. The test suit brought by his heirs against Wm. R. Davie and Josiah Collins was tried in Raleigh before the circuit court of the United States, Judge Henry Potter presiding. Chief Justice Marshal declined sitting because of his connection with similar claims before going on the bench. The jury decided against the plaintiffs and they appealed to the Supreme Court of the United States. The appeal was not prosecuted. Great Britian had accepted three millions of dollars in discharge of debts due her subjects, but the states, being only recommended to restore confiscated lands, never

complied. Wm. Gaston was leading counsel for the Granville heirs and Duncan Cameron for the defence.

[4] See note to next letter.

[6] The pamphlet of "Aristides" was in behalf of Burr, a vicious attack on his opponents, the Clintons, Livingston, Hamilton and others. The author was William Peter Van Ness.

[5] Judge John Hall afterwards Supreme Court Judge of North Carolina.

Macon to Steele.

Rock Spring 2 July 1804

Sir

I yesterday had the pleasure to receive yours of the 22 ultimo; and sincerely regret that it is not in my power, to give such an answer to your enquiry concerning the fate of the Rhode Island petition as would please myself, before leaving Washington and after I had finished my business with the Treasury & bank, I called at the Comptrollers office with no other view, than to ascertain, whether he had finally determined the case, and to enquire what that determination was, provided he had made one; He was not in the Treasury department at the time: I however understood, though not officially that he had decided in favor of the prayer of the petition; on what ground the opinion was formed I do not understand; The decision made by you, would I am sure have been confirmed by the H. of R. and I entertain no doubt but there were some, who voted for the reference, under the belief that the decision would be confirmed by the present officer, without perhaps reflecting much on the nature of the reference, This opinion is in some measure entertained, because the vote to refer was taken without debate, and I know that there were members, who are in the habit of speaking who approved of your decision; I also understood, that the present officer was exceedingly sorry that it was referred

I have not heard any thing of Medeterranian affairs more than you have seen in the papers, Though

I believe the P-would willingly be at peace with them as well as the rest of the world; provided peace would be had on fair & honest principles; This opinion is formed only on the general conduct of the man

The case of the heirs of Lord Granville is not now talked much of, with us, it is generally said he will not recover; and most, if not all seem satisfied with the opinion; I have not heard the opinion of any Lawyer or Judge. It was made an objection to the treaty negotiated by Mr. Jay, that it would at least induce the heirs to put up a claim and Mr. Tracey[1] of Connecticut, then in the house examined the question, and declared detidedly that the heirs could never recover one foot

The Fairfax claim[2] was purchased (as I have understood, or rather as well as I now recollect, what I formerly heard,) about the time of the treaty, suits were brought, Mr. Marshall was a partner in the purchase, his brother James made the contract with the English claimant, whether Mr. M. appeared as counsel for the plaintiff I do not recollect, but he certainly was in fact, the leading counsel, whether he appeared at the bar or not; The State of Virginia and the purchasers of Fairfax at last compromised but I do not know on what principle the compromise took place

Patience will bring everythlng right in a free country, and if contrary to my expectations the claim is supported, we must exercise the same patience, which we have done, on other great questions, The assembly I hope will not touch or meddle with the subject at their next meeting

Permit me to assure you, that the sentiments of respect which you have expressed are & always have been reciprocated by

yrs sincerely
Nathl Macon

(Genl. John Steele
Salisbury
No Carolina)

NOTES.

[1] Uriah Tracy, Senator from Connecticut; a lawyer; member

of House of Representatives 1793 to 1796 and of the Senate 1796-1807. He contended (a)that North Carolina succeeded to Granville's, as well as the crown lands, by the Act of Independence. (b) North Carolina's claim was good by Acts of Confiscation. (c) That the treaties of 1783 and 1794 conferred right only on those who owned lands at those dates. It was reported that the Granville heirs had received £60,000 from the British treasury as compensation for their losses.

[2] Thomas, Lord Fairfax, of Greenway Court, in the Nothern Neck, between the Potomac and the Rappahannock. He owned over 5,000,000 acres of Virginia lands. He died in 1781 devising part of his estate to his nephew Denny, afterwards Lord Fairfax, a resident of England. Messrs. Marshall, Colston and Lee bought the interest of this nephew. After litigation, John Marshall, attorney, also one of the purchasers, in 1796 made a compromise with the state, which was carried into effect by an Act of the Assembly. The devisee of Lord Fairfax, and their assignees relinquished all claims to those Fairfax lands, "which were waste and unappropriated at the time of the death of the elder Lord Fairfax, and the state of Virginia relinquished all claims to lands specifically appropriated by the said Lord Fairfax to his own use, either by deed or actual survey." The act was passed "on the petition of sundry inhabitants of the counties of Hampshire, Hardy and Shenandoah."

Macon to Steele.

Washington 12 Decr. 1804

Sir

This place has during the present session been one continued calm, no political event has hitherto produced any warmth on either side, nor is there yet a motion made, which will change this happy state of affairs, but a report which must be made on the petition of those generally denominated yazoo men, will probably destroy the quiet of the session, this opinion is formed rather from former debates, than any thing that I have heard since coming here; Not-

withstanding this temperate state of the house, the intercourse between those of different politics, is not more frequent than formerly;

The city is uncommonly dull, and houses increase faster than inhabitants a few new ones are building, while some of those already built are not inhabited,

Georgetown has improved a little particularly the streets since you saw it.

It is believed by those who pretend to be best informed, that Tripoli[2] will soon be compelled to peace; if this should be the case, and the European bellegerent powers not infringe our neutral rights, we shall soon be in a situation to reduce the tax on some imported article,

This letter will convince you, that nothing but a desire to write to you, could be the cause of writing —yrs truly

Nathl Macon.

(Genl. John Steele
Salisbury
No Carolina)

NOTES.

[1] In 1795 four land companies, by bribery as was believed, obtained from the General assembly of Georgia grants for about 35,000,000 acres, about half of the territory between the Georgia line and the Mississippi river, for $500,000 or about one and a half cents per acre. In 1796 a new legislature passed an act revoking the sale, and many of the stockholders surrendered their contracts. Many, however, sold their claims to persons in New England and elsewhere who stood in the light of innocent purchasers. In Fletcher vs. Peck the Supreme Court sustained their title, the repealing act being unconstitutional. In 1802 Georgia ceded the territory west of her limits to the United States. The purchasers from the grantors of 1795 applied to Congress to perfect their titles or compensate them in money. John Randolph opposed them fiercely and succeeded in postponing action for years. In 1813 Congress compromised the matter for $5,000,000, payable out of the sales of the land in question.

It is noticeable that Randolph was defeated for this Congress by John W. Eppes. Able commissioners, Madison, Gallatin, Levi Lincoln, with James Jackson, Secretary Baldwin and Governor Milledge, had recommended a compromise.

Steele to Macon.

Salisbury Jany. 17th, 1805.

Dear Sir,

About four weeks ago I had the pleasure to receive your much esteemed favor of the 12th of December and wd. have acknowledged my obligations to you for it sooner, if an entire failure in the arrival of our Mails since that time (occasioned by uncommonly deep[r] snows) had not prevented me. Your kindness in remembering an absent friend is entitled to the best return which a sincere and grateful heart can make:—mine I trust you will always find duly sensible of your attentions and devoted to the cultivation of those friendly dispositions which in every situation, but especially in a retired one, constitute a principal share of our best enjoyments.—In private life, it is natural that a man should appretiate highly the offices of personal regard, and when these come, like yours, from one of a difft party name they win upon the heart not as friendly attentions merely but as indications of candor and liberality rising superior to the prejudices and passions of the times. To the want of a sufficient degree of this same spirit of candor and liberality is to be ascribed that distance and reserve which you inform me still continue to be kept up among the Members of Congress— This state of things, however we may unite in lamenting its existence is an evil not to be cured while both parties believe or pretend to believe, the fault to be with their opponents and not with themselves as if virtue and vice were synonomous with party distinctions— Those who in a party sense *have been Federalists* (for you must notice here as in former letters that I speak of that party as *having been*, because it was in my opinion dissolved at the conclusion of the late general[2] peace when the French revolution terminated, and our proclamation of neutrality of 1793 and the great-

er part of the measures which grew out of it had their effect) charge 1-2 of your party with maintaining the odious doctrine of a general expulsion of all who are called Federalists from office, and the other and better because less unjust and irrational half, with the toleration of those who are *in* but the rigid exclusion of all who are *out*. This last, they say, not less than the first is a departure from the broad and generous principle avowed in the President's inauguration speech, which is the only one that can or ought to last, and that indiscriminate exclusion for matters of opinion with reference to our disputes, is in effect not merely to "call by different names brethren of the same principle" but to treat one class of brethren worse than Aliens. Although the Federal party in the sense which I have supposed the proper one may be dissolved, the individuals continue, and nothwithstanding the submission of many of them to the will of the majority in changing the Administration, their explicit approbation of some of the acts of Government since (particularly the acquisition of Lousiana and the measures adopted for the reduction of the Funded debts) an entire cordiality in their intercourse with your party, either in or out of Congress, is not in the nature of things to be expected, while their *indiscriminate exclusion* is either openly vindicated, or tacitly adhered to as a maxim of administration. It would well become a man of your independence and influence to inculcate the injustice and narrowness of such a sentiment, and that being, though in a less violent degree than expulsion, a species of political persecution you may easily show that it cannot stand a temperate and enlightened examination. Another reason will of course occur to you, that from the tendency of elections in some of the States it must have become manifest of late to the good men of your party, that in southern sections at least they have more to apprehend from another quarter than from the Federalists, and that however complete your party triumphs may seem to be, they cannot have beneficial and permanent effects, unless you guard agt. *the arts* and *violent counsels* of your *Exclusionists*. Had Majr Franklin[3] understood this subject better, had he turned his eyes in time to the quarter whence real op-

position came, he might perhaps been continued six yrs. longer! ! ! Here my friend, let your own reflections supply the rest. What I have suggested has at least the merit of being disinterested, and proceeds from that unreserved confidence which has characterized all my intercourse with you:—an intercourse begun when opinions were free, long before political differences were sharpened into animosity, and sustained without interruption through the most virulent seasons of it.

Not having seen a newspaper for some weeks, owing to the detention of four mails I am as ignorant of what is going on at Washington since the date of your letter as the man in the Moon. These privations which only disappoint my curiosity a little are not however without their advantage, for they leave my mind more unoccupied and better fitted to pursue a course of reading which keeps me employed with the hope of becoming a more intelligent and useful member of society. In this pursuit I have moved on for two years past with greater assiduity and success than in any other equal period of my life; a good arrangement of my little estate leaving me but few cares or interruptions except such as proceed occasionally from the want of health in my family, and these visits which are only autumnal I shall endeavour to prevent after another year by a temporary residence annually at the Botetourt springs[4], or some other civilized place where I can keep my wife and children well. Twenty acres of cotton more than my overseer at Lethe is preparing to plant for the next crop will enable me to do this, and then (- my own health being already quite robust) I shall be as happy as peace of mind, and good will to all the sons of Adam can make me. Of this long, and the misanthrope would perhaps say shabby list, there is not one who would serve you with more pleasure or who is with greater sincerity and truth your friend than the one who now wishes you an happy new yr. and many of them, full of honor and uninterrupted satisfaction

Adieu

Jno. Steele.

Nathaniel Macon Esqr.
House of Representatives

It will require some greatness of mind on both sides to search dispassionately for the causes of this, and still more perhaps to apply a rational and well timed remedy.

There are times when passions are necessary but such are not the present. Your best Doctors and Dr. Macon among the rest, I have no doubt recommend a cooling regimen as the best means of abating that fever which has brought, and must if not checked continue to bring noisy and inferior men into places of distinction. You want, especially from the Southern States, clear headed, well informed, virtuous men:—whether your chance of obtaining them be increased or diminished by the doctrine of exclusion is a very simple question.

NOTES.

[1] A similar snow fell in North Carolina in 1857.

[2] The Treaty of Amiens, March 25th, 1802, negotiated by Lord Cornwallis and Joseph Buonaparte, concluding the war between England and France and their respective allies. The peace proved to be only a truce and was ended in 1803. General Steele's notion that the Federal party came to its end in 1802, proved to be illusory. Jefferson seemed to approve it when he said in his first message; "We have called by different names brethren of the same principle. We are all Federalists—all Republicans."

[3] Jesse Franklin, U. S. Senator 1789-1805. State Senator 1805 and 1806. U. S. Senator again 1807-'13; Governor of North Carolina 1820-'21. In 1805 he was defeated by James Turner.

[4] In the mountains of Virginia.

Macon to Steele.

Washington 19 Jany, 1805

Sir

This Session of Congress has not hitherto produced a fact, worth writing which may not be seen in every

news paper in the U. S. It is possible I may have told you this once before; The debates have generally been conducted with moderation & temper notwithstanding there has been a subject or two, which in their nature must have very much interested the feelings of many; of this kind is the present trade to St- Domingo; which is chiefly carried on by armed vessels, without authority for arming, and mostly it is believed in articles contraband of war; The armed vessels as well as their warlike cargoes are understood to be sold in the Island at very high prices; This kind of trade must I conceive produce the same sensations, in the European governments, who have colonies in the West Indies, as it will produce in the states whose population is not all of the same condition and color; The Government of France [1], which has not yielded the idea of conquering the Island, and reducing the inhabitants to the situation they were in before the revolution; may view this merchantile project, in rather a more strong light, than the other European Nations; A bill to regulate the arming of merchant vessels has passed the H. of R. and is now before the Senate, The bill is scarcely strong enough I fear, to produce the desired effect, when the great profit of the trade is considered

To restrain if possible, by law the violation of our neutrality and our neutral rights in our waters, will be a subject of some difficulty, the opinions which have been expressed on this point are various indeed, no decisive vote has yet been taken by which an opinion may be formed, as to the result,

The British Government are I am informed determined to enforce their navigation law [2], This will probably if rightly carried into execution, give some uneasiness to our Merchants & navigators, and may possibly during the present session give rise to a motion or two if nothing else; This determination will doubtless produce in the U. S. many projects to countervail, almost every politician will have a plan, and each of them will fancy his own quite certain to produce the desired effect; Whenever a step shall be taken on this ground, must be examined in the most deliberate manner; it effects may come to every man

at home, It will also produce as serious consequences to the people of Britain.

I have not heard, who the new [3] attorney general is to be; before this you have seen that Mr. Lincoln has resigned—It is reported, that there is some difficulty in getting one to accept

We have a very severe and very dull winter in the city—I am Sir yrs truly

Nathl Macon

(General John Steele
Salisbury
No Carolina)

NOTES.

[1] The eastern part of Santo Domingo under the Spaniards was not affected by the rebellion in the western part 1791-'97. In 1795 Spain ceded its rights in the island to France. In 1801 Toussaint Louverture ruled the island. In 1802 the French occupied it, but were driven out of the western part, retaining their hold in the eastern until 1809, when the English captured Santo Domingo and Samana and gave them to her ally Spain.

[2] The chief object of the navigation law at this time was to prevent Americans and other neutrals from carrying French and Spanish sugar from the West Indies to Europe.

[3] Robert Smith, of Maryland, was transferred from the Navy Department to the Attorney Generalship. After holding the office for a few months he was appointed Secretary of State. In 1811 Madison replaced him by James Monroe. He was succeeded in the office of Attorney General by John Breckinridge, grandfather of vice-President John C. Breckinridge; Senator from Kentucky 1804-'05. Caesar A. Rodney, of Delaware, was successor to Breckinridge, who died in December, 1806.

Macon to Steele.

Washington 3 March 1805

Sir

I have received your letter and owe you answer,

which I have not before given; can only now say what you know, that the session is almost at an end, and that I am truly

Yrs.
Nathl Macon

Debating a bill to add to the pension list

(Genl- John Steele
Salisbury
No Carolina)

NOTES.

Endorsed on this letter in Gen. Steele's hand writing is the following, doubtless his mode of cultivating his plantation Lethe.

1805	[1]Ch. side	50 cotton	[1]Peg H.	40 oats	[1]Barnf.	60 wheat	[1]Bottom	20 corn
1806	"	oats	"	wheat	"	cotton	"	60 corn
1807	"	wheat	"	65 cotton	"	corn	"	oats
[2]1808	"	———	"	corn	"	oats	"	wheat
1809	"	65 corn	"	65 oats	"	65 wheat	"	65 cotton
						Total, 260 acres.		

[1] Names of his different fields. We can only guess that Ch. side is Chilly side and Peg H. is Peg Hill. Barnfield and Bottom are sufficiently plain. The list is printed in order to show the rotation of crops adopted by General Steele, as well as approximately the size of his farm. As plantations in his day had a generous quantity of woodland. I conjecture that Lethe contained 800 to 1000 acres.

[2] Ch. side was "turned out," or lay fallow in 1808.

Macon to Steele.

Washington 10 Jany 1808

Sir

The letter you wrote to me on the 20 - ultimo, came to hand yesterday, The contents was immediately communicated to Mr. Turner,[1] who instantly answered that his agent in Carolina had informed him, that his horses were engaged for the next season, and that if they had not, he would most willingly let you have one on the usual terms; I do not know where either of

the horses mentioned by you are to stand next spring, nor do I know to whom either of them belong; Whip was last year in Georgia

Mr. Turner informed me that he expected the pedigree & performance of his horses would be published in the news papers, he has them not with him, or I would send them to you He also informed me that Magic would stand this season in your neighborhood and that he would sell one; I was this morning at Genl. Blount[2] lodgings, where the conversation turnedon horses, he had in his possession several volumes of the Sporting Magazine he turned to one, and read an account of the winners for 1806, in which Mountaineer a son of Magic won 13 times that year

It is I think quite probable that all the stallions of note, are engaged before this for the next season

I am sorry that you should make any apology for writing, your letters are always gratifing and acceptable, & I have more spare time than usual, because my health will not permit me, to be engaged so zealously in business as formerly

What is to be the result of our disputes with foreign nations God only knows; The last account from Norfolk is that Mr. Rose[3] was still on board the Frigate in which he arrived, It has been said that the necessary orders were issued for his landing before his arrival, and that they had been repeated since, I know nothing as to the truths of these facts, but give them as I have heard them; France will probably now execute her decree,[4] of the 21 Novr. -6, against G–Britian; This if done, will be felt by us and will I think add to the difficulty of settling our affairs with Great Britain and there seems to be difficulties enough already to puzzle the wisest head; France & G. Britain may be compared to a Tiger & Shark, each destroying every thing that comes in their way, their late conduct to Denmark and Portugal, without recurring to any other fact is enough to establish the propriety of the above

By the public prints you have discovered, that Congress have made very liberal appropriations[5] for fortifications and gun boats, to this liberality I have no claim; the first seems now to be almost useless in

Europe, and as to the second, we ought to have a little more experience before we adopt it as a system of defence,

I am very much & sincerely
Yrs.
Nathl Macon

Mr. Steele.

NOTES.

[1] Governor James Turner.

See letter of September 15, 1802. Note 1.

[2] Thomas Blount of North Carolina. Lieut. at Eutaw, Major General of militia. Representative in Congress 1793–'99, 1805-'09 and 1811–'12, died in Washington City, February 12, 1812. He was a younger brother of General and Senator Wm. Blount.

[3] George Rose was British minister to the United States 1807–'08 to settle the difficulty arising from the attack on the Chesapeake by the Leopard. The President had issued a proclamation, interdicting all armed vessels of Great Britain from the waters of the United States & forbidding all supplies to and intercourse with them. Vessels in distress or bearing dispatches were excepted. Mr. Rose under instructions refused to consider the question of the Chesapeake outrage unless this proclamation should be withdrawn. The President offered to withdraw it on the same day that the reparation should be made. This was declined on the ground that the proclamation was offensive. Mr. Rose likewise objected to including the right of searching merchant vessels for British seamen. As no agreement was reached he returned to England. In 1809 the affair was settled, the act of Captain Humphrey of the Leopard was disavowed, the men taken from the Chesapeake restored and provision for the sufferers was offered. The British minister announced that he considered the non-intercourse act of the preceding session as placing France and England on the same footing and hence was willing to offer reparation.

[4] The Berlin Decree. It declared the British Isles in a state of blockade, and all British merchandise, even on neutral vessels to be lawful prize. It greatly injured the United States.

In 1793 and 1794 England prohibited trade with France. November 11th, 1807 a sweeping order was made prohibiting trade from the United States to any European country under Napoleon's power.

[5] 103 gunboats were built. Thomas Paine was employed to defend the policy of relying on them. He endeavored to show that seventy four guns on seventy four vessels would do twice as much damage as seventy four guns on one vessel, and would cost much less. The experiment was not successful.

Macon to Steele.

Washington 20 Feby 1809

Sir

I have received the letter which you wrote to me on the 29 Ultimo, our affairs are still as perplexed as ever, what course Congress may take during the session, relative to our foreign affairs is yet doubtful in my opinion

By this mail I send you a message of the President, which is a *valuable* collection of the wrongs that belligerents have inflicted on neutrals

I am much & sincerely

Yrs.

Nathl Macon

(Genl. John Steele
Salisbury
No Carolina)

Macon to Yancey.

Buck Spring [1] 20 June 1820

Sir

I have received your letter of the 2-instant, and thank you for the trouble about the linnen, if you should get it, it will answer for another year, but as it is now too late for this; trouble yourself no more about it, if however you have got it, send as before requested

As I never did nor never shall shyhog,[2] I only know, what was to be seen or heard about it at the last session, much was done and more openly about the Missouri compromise than I ever witnessed before; I have no doubt, it would not have taken place, had not the administration, and the supposed leaders of those opposed to it, declared in favor of it, after Storrs'[3] motion had been rejected; which would have given two degrees more to the people of the south; The history of the transaction is too long for a letter: of the great men at Washington, Crawford[4] I think rather stands highest, though he not so high as he has done; Monroe has no opposition in Congress, nor has he much real support, it is a sort of calm, all looking beyond him; Adams has a few warm supporters, a part of them from local considerations, and others for his violent defence[5] of the attack of the Spanish forts in Florida; Calhoun stands well with the military; the manufacturers not so well as formerly, though well enough, and with those for internal improvements very high Clay stands high with the two last mentioned, what his plans are I know not, had Tomkins[6] have been elected Governor, he would no doubt have been a candidate or rather run for the Vice President, I should not be surprised, if he attends the next session of Congress

I have no desire for any place & shall attend the next session of Congress, because the Missouri question, may return on the admission of the state to the union; If Holmes[7] & Hill should be elected Senators from Maine, they will strengthen the Senate on the question, which is now believed to be strong enough for the admission, but may weaken the H. of R.

I sincerely hope you may call here on your way to Halifax, I am very desirous to see you; The last was the most disagreeable session I ever attended, though I have seen some more hot & boisterous

R. King[8] has I think lost ground, with his party; Pinkney'[9] & Smith'[10] replies to him on the Missouri bill, lessened his reputation as a statesman and public speaker, or rather his own speech done it: Remember me in right down good will to your wife &

children I should be truly glad to see them believe me your friend

Nathl Macon

(Mr. Bartlett Yancey
Caswell C. H.
No Carolina)

NOTES.

[1] Mr. Macon's Plantation home.

[2] Often used by Mr. Macon. The word is undoubtedly metaphorical, taken from "beating the woods" for shy, or runaway hogs.

[3] Henry R. Storrs, of Connecticut; settled in New York. Representative in Congress, 1817–'21 and 1823–'31. His motion was that slavery west of the Mississippi should be interdicted in the territory north of thirty eight degrees.

[4] William Harris Crawford, of Georgia. His paralytic stroke was not until the summer of 1823. He never recovered his vigor of mind and body though he long clung to the hope of being President. He was Secretary of War 1815 to 1816, and Secretary of the Treasury 1816 to 1825.

[5] The seizure by General Jackson of the posts of St. Marks and Pensacola, and the fortress of Barancas, on the ground that the Spaniards harbored hostile Indians and instigated invasions of the United States. John Quincy Adams, was Secretary of State. The House of Representatives sustained Jackson by 91 to 65. Calhoun, the Secretary of War, disapproved Jackson's course. After several years, Jackson learned this from Crawford and became hostile to Calhoun.

[6] Daniel D. Tompkins, of New York, Vice President from 1817 to his death in 1825; Governor during the war of 1812.

[7] John Holmes, Senator from Maine, 1820 to 1827, and 1829–'33.

Mark L. Hill was a Representative from Maine, 1821–'23.

John Chandler was the other Senator from Maine, 1820–'29.

Maine was admitted into the Union April 15th, 1820.

[8] Rufus King; Born in Massachusetts; Delegate to the Con-

tinental Congress, 1784–'86, and to the National Constitutional Convention, 1787; Removed to New York City, 1788; United States Senator, 1789–'96, and 1813–'25; Minister to Great Britain, 1796–1803, and again 1825–'26.

[9] William Pinkney, of Maryland. One of the Commissioners under Jay's Treaty. Minister to Great Britain, 1706–'11; Attorney General of United States, 1811–'14; Representative in Congress, 1816; Minister to the two Sicilies, then to Russia, 1816–'18; United States Senator, 1820, to his death in 1822. After his speech in reply to King, the latter shook his hand and said, "Sir, you have acquitted yourself to-day as a scholar, a statesman, and a gentleman."

[10] William Smith, of South Carolina, was Senator, 1817–'23, and 1826–'31; twice refused appointment as Justice of the Supreme Court of the United States; Removed to Alabama in 1833; was opposed to nullification.

Macon to Bartlett Yancey.[1]

Washington 29 Jany 1824

Sir

It was said of old, that one good turn deserves another; They may not be of equal value; though the desire of each may be equally friendly; The opinions of the court of Kentucky,[2] & your reasons for a new trial, have been received, for which accept my thanks: A Juryman is not allowed to be a Judge of law, but only of facts, unless in criminal prosecutions; hence it is not fit for me, even to attempt to decide between such mighty law characters; It may however be allowed to observe that in trials, of the very greatest importance; if the shadow of doubt exist in the mind of the Court a new trial ought to be granted; nay where the interest of a whole society may be at stake, it might be worthy of a Court, to grant a new trial, to convince the most interested; that his case, was not decided without a patient & vigilant investigation

The constitution of the U. S. ought to be executed, as it was explained by its friends in the state conven-

tions which adopted it; The same remark will apply to the amendments which have been made to it, to take by construction or implication more power, than was claimed by them; seems to savour of deception, nay almost of a fraud on the people; One reason for adopting it, was to get clear of paper money & to have but one currency in the nation; Unfortunately however power has been assumed to establish banks & they issue a paper currency, which is not of the same value, in the same state; Credit is the effect of property or good character; unless the morals be perfectly sure, it often shakes both; negotiable paper of all sorts; results from Credit & that from want of money, which is rendered more scarce by the use of credit; which was intended to supply the want; Every kind of negotiable paper adds to the evil & increases the tendency to render money more Scarce

I fear these observations are too old fashioned for you, though they were once, in good repute with the old republicans: as they are out of fashion, they are only intended for your own eyes, & not for those of any other person; That happiness & prosperity may attend you, & all that are near and dear is the sincere wish of

yr. friend
Nathl Macon

Add that the currency of banks is alien, in states which did not establish them, & that all debtors are liable for hard money: Indeed the branch banks of the U. S. are almost alien to each other & to the mother bank

NM

NOTES.

[1] Bartlett Yancey was a lawyer, and one of the most influential men of his day in North Carolina. He was a Representative in Congress, 1813–'17; Speaker of the State Senate, 1817–'28. He declined the mission to Peru, tendered by Adams.

[2] Mr. Macon probably speaks of Briscoe vs. Bank of Kentucky, 11 Peters, 257, which decided that the bills of a bank

chartered by a state are not "bills of credit," which are prohibited by the constitution, even though the state is sole stock holder and agrees to pay the bills in case of failure by the bank.

Macon to Yancey.

Washington 7 Feby 1824

Sir

If you are not at home, when this letter gets to Caswell-C-H-; It may stay in the office; or Mrs. Yancey may take it, open it & read it, & then keep it for you

It was written to a much esteemed friend, who before it was sent, came here, & as I hate to write for or to no body it is transmitted to you, not that I think it any great thing, but that I had rather you had it than to burn it, which you may do

Gales & Seaton's [1] paper yesterday announced the ante caucus [2] determination, & the invitation to one; Crawford [3] is much mended since my last, & told me last night, that he was mending fast in every respect

It is reported that the friends of Clay & Calhoun continue to be the most industrious; & that Clay exerts himself very much; I have been told that all unite against Crawford, & against a caucus; He however I am almost certain has more than 80 friends in Congress, perhaps near one 100—God bless you & yours

Nathl Macon

(Mr. Bartlett Yancey
Caswell C-H-
No Carolina)

NOTES.

[1] Joseph Gales and William W. Seaton. Their paper was the National Intelligencer, 1807–'60. They also published the Annals of Congress, in forty two volumes.

[2] Mr. Macon means the anti-caucus call. His prediction was not verified. Only 66 out of 261 members of Congress

attended. Crawford and Gallatin were nominated. This last Congressional Caucus was held February 14th, 1824.

[3] Crawford had a stroke like paralysis before this and it was used against his candidacy.

Macon to Yancey.

Washington 24 Feby 1824

Sir

It is now believed here, & some say known, that Calhoun[1] has withdrawn from the contest for the presidency; & that his friends will support Genl. Jackson; I have heard, whether truly or not, I do not know that the greatest exertions are to be made, for the General in North Carolina,[2] I mention this, that you may be advised early of the doings & expectations here;

I have heard that a meeting was to take place last Saturday at Warrenton to nominate the General; when I left home a great majority in the county appeared to be for Crawford, & I imagine are yet so; a meeting for the same purpose, was to take place in Hillsborough, the day not recollected

God bless you & yours

Nathl Macon

(Mr. Bartlett Yancey
Caswell C- H-
No Carolina)

NOTES.

[1] Calhoun did withdraw and was nominated for the Vice Presidency.

[2] North Carolina cast her 15 electoral votes for Jackson and Calhoun. In the House of Representatives a majority of her members cast the vote of the State for Crawford.

Macon to Yancey.

Washington 31-March 1824

Sir

Since my last not much if any change is understood

to have taken place, in relation to the presidential election; Genl. Smith[1] of Maryland told me yesterday, that he believed Crawford was gaining in that state. Some of the New England members, also say he is in their opinion gaining there: But reports are in circulation that he is losing in our native N-C- Did you only know the Pennsylvania member[2] who is considered the best advised about public opinion in N. C. you would be surprised, if not mortified

What will be the vote of the Senate on the tariff[3] bill & that for internal improvement by federal government not known, a near one is expected

I wish, that I could see you & your family; In the present unsettled state of the politics of the country, it is desirable that the republicahs should be always at their post; power once lost is not easily regained, & republicanism must be preserved in the states, or it cannot prevail in the federal Government. The opinions of the states will be carried to Washington, and that of the people ought to give the tone to both governments

I never was more tired of a session than this, & am growing old faster than is wished; it is the course of nature, to which all must submit; I cannot speak a half hour without being hoarse

Crawford was mending he told me, on last friday very fast; Mrs. Miller[4] continues to look well & is as lively as you ever saw her, always enquires after you; That God may preserve you & your family in health & happiness is the sincere wish of your old friend–

Nathl Macon

(Mr Bartlett Yancey
Caswell C–H–
No Carolina)

NOTES.

[1] Samuel Smith, of Maryland, in the House and Senate 1793 to 1822 and Senator again 1833-'35.

[2] I can only guess that it was Daniel H. Miller.

[3] Passed the Senate and became a law. That for Internal Improvements was also passed.

[4] Probably the wife of Daniel H. Miller, Congressman from Pennsylvania.

Macon to Yancey.

Washington 6 May 1824

Sir

Since the receipt of your last letter nothing has occurred worth notice, more than you will have seen in the news papers: when Congress will adjourn God only knows, perhaps in this month

It is very probable, that N. Carolina will be the place of great electioneering this year and that some who do not now live in the state will either take it in their way home, or visit it for the purpose of advising the good people of the state for whom to vote for President & Vice President; those expected to visit for the purpose, are the friends of Jackson I mention this that you may be advised of my opinion in due time; it is supposed that King[1] & Moor[2] of Alabama & Eaton[3] of Tennessee will take the route, it is the nearest way for King, but for the others I do not imagine it is. As this is only opinion, it is intended for yourself alone,

The tariff[4] will I fear pass, it depends on two men in the Senate both from New England, who will finally I suspect vote for it, provided they can get a few alterations to suit them

I never was so tired of being here; nor never witnessed so much shyhogging: the subjects are the presidency, internal improvements, & the tariff, one is over, others yet on hand

I want much to see you, & should be equally glad to see Mrs. Yancey, but do not expect that it will be in my power to get to Caswell;

Lowrie[5] has certainly so far got the better of his opponents; The President has contrived to get himself in an awkward situation; nothing it seems to me, can be more disagreeable, than for an old man, who has spent much of his time in public life, to be about to quite the service of the country, in a condition not to be coveted;

Remember me in the most friendly terms to Mrs. Yancey, & believe me

Yr. friend
Nathl Macon

(Mr. Bartlett Yancey
Caswell C–H– No Carolina)

NOTES.

[1] William Rufus King, Representative in Congress from North Carolina 1811-'16; United States Senator from Alabama 1819-'44; and 1846-'53; Minister to France 1844-'46; Vice-President 1852 to his death, April 18, 1853; Alumnus of the University of North Carolina.

[2] Gabriel Moore, of Alabama, Representative in Congress, 1822-'29; Governor, 1829-'31; U. S. Senator, 1831-'37.

[3] John Henry Eaton, of Tennessee; U. S. Senator, 1818-'29. Secretary of War, 1829-'31; Governor of Florida Territory, 1834-'36; Minister to Spain, 1836-'40. Published a Life of Andrew Jackson. Alumnus of the University of North Carolina.

[4] The Tariff bill passed May 1824, increasing duties on iron and some agricultural products, by a vote in the House of 105 to 102. Seven Senators from New England supported it, Samuel Bell of New Hampshire, John Holmes of Maine, Wm. A. Palmer and Horatio Seymour of Vermont, Nehemiah R. Knight of Rhode Island, Henry W. Edwards and James Lanman of Connecticut. The vote was 24 to 21.

[5] Walter Lowrie of Pennsylvania; U. S. Senator 1819-'25; Secretary of the Senate 1825-'36.

Lowrie, who was a Crawford man, authorized the publication of a statement that General Jackson had advised Monroe to appoint two Federalists in his Cabinet. Jackson and Monroe denied this, but after much agitation of the subject the letof Jackson, which was the foundation of the statement, was published. It was found to contain such expressions as, "to exterminate that *monster* called party spirit," "to select characters most conspicuous for their probity, virtue, capacity, and firmness, without regard to party," and a recomendation to appoint to the war department Colonel Drayton, who had been a Federalist before the war. Crawford men at least thought Lowrie had proved his allegation substantially, as Macon says. Jackson however was not injured.

Colonel William Drayton was a Representative in Congress

from South Carolina, 1425-'33. He was Colonel and Inspector General in the war of 1812.

Macon to Yancey.

Washington 25 Decr. 1824

Sir

A day or two before I received your letter of the 22 instant, I had written you a full Sheet, about matters & things in general; today I told Saunders[1] he ought to give all the news about the shyhogging on the election of a president, he answered, he had written you on the subject;

With you, I consider the present times vastly important. The question most important before the people, & the legislatures of the Union and the States is this, at least according to my poor Judgment; Can the federal government do whatever it deems expedient; or in other words can it promote the general welfare in any way it pleases: if it be so the rights of a minority are at the will of majority, the constitution of the U. S. is either limitted or unlimitted, if limitted the rights of a minority are protected by it & do not depend on the will of a majority: The majority want no law nor rule, both are made to secure the minority; This paragraph may be taken as part of my other letter

All parties here are I believe very anxious to know who will be the successor of Burton [2] in the H. of R., I have been repeatedly asked, who I thought would be the man: I answered, I had no information upon which to base an opinion

Claims often heretofore rejected, will I expect pass very easy this Session, because there are three millions of dollars stated to be in the Treasury, beyond the demands on it, & it is possible other circumstances may aid to get improper claims through; money not wanted for immediate use, had always better be in the hands of the people: money ought never to be borrowed unless certainly wanted; people who borrow often and much, never get rich, the banks I think could prove this, and borrowing gov-

ernments are not apt to get out of debt, witness Great Britain

The enclosed paper [3] contains a letter from Capt. Porter, on which no comment will be made, if G. Britain was in the place of Spain, a war might be expected

The Senate [4] has not acted on the bill from the H. of R. the object of which is to take possession of the mouth of Oregon (Columbia) river: I do not covet distant posts, the trade in the South Sea, has been carried on ever since we were a nation; & now all at once; a post must be maintained there, and ships of the navy must be sent to protect a trade, which has been carried on, without protection, a fleet in the South Sea, another in the Mediterranean, and another which is actually needed in the West Indies; do not calculate on economy, when money can be borrowed at less than five per centum: those who hold the public debt, never wish it paid, its value depends much, on its being considered permanent

The rulers [5] of a nation, ought not to be in debt, if a just and economical administration is desired by the people; whoever is much in debt can hardly be perfectly free, he is dependent on his indebtors: and a nation in debt always has its strong arm of defense tied fast, the longest purse being the longest sword; whether in public or private life, those in debt, are generally projectors, under the hope that every new project may afford them some relief or make them rich; & the law under which the debts were contracted, are not always the laws, by which they desire the payment to be made or enforced

I have now done as I did in my last, written much more than was expected when I begun

That you, & your whole family may be well & do well is the sincere wish of

Your friend

Nathl Macon

NOTES

[1] Romulus Mitchell Saunders, Representative in Congress from North Carolina, 1821-27 and 1841-45. Judge and Attor-

ney General in North Carolina; Minister to Spain, 1846-'49.

[2] Hutchins G. Burton, Representative in Congress 1819-'24, when he was elected Governor of North Carolina.

Willis Alston was elected in his place and served 1825-31. He had already served 1803-'19. His unsucessful competitor in 1803 was Wm. R. Davie.

[3] Commodore David Porter in suppressing piracies landed an armed force in Porto Rico. The Spanish Government protested. He defended himself on the ground that the Spanish authorities were in complicity with the pirates and that his action was necessary. He was court-martialed, convicted of disobedience of orders and suspended for six months. He resigned and was for awhile in the service of Mexico. He returned to the United States and was appointed Minister to Turkey by Jackson.

[4] This measure was championed by Mr. Floyd of Virginia, whose main argument was that it would be of advantage to the whale fishery and to the trade with China and India. It was objected to because of the inaccessability of the Oregon country and the likelihood that if the country should become populous, it could not possibly be incorporated into the Union. The vote against it in the House was 100 to 61. The Rail Road system has destroyed the force of these arguments.

John Floyd, Representative from 1817 to 1829; Governor of Virginia 1829-'34. He was father of John B. Floyd, Governor of Virginia, 1850-'53; Secretary of War, 1857-'60; Brigadier General of the Confederate States.

[5] Probably a thrust at Clay, who was often involved in debt. Once his debts were discharged by his friends, James C. Johnston, of Edenton, being one of the number. He is said to have been much addicted to gambling. Webster was also very careless of pecuniary obligations, but as he was not a candidate for the Presidency, Mr. Macon hardly had him in mind.

Wm. Barry Grove to James Hogg.

Philadelphia, March 17, 1791.

Dear Sir

I have the pleasure to acknowledge the receipt of your letter of the 12th Feby under Cover of your obliging favor of the 25th from Wilmington: In reply to the former I cant help wishing you had been at Newbern,[1] as I think tis probable you could have devised something that might have been favourable; your information however of the good spirits and *firmness* of our Western friends afford me some Consolation, and I heartily join you & them in promising ourselves better times, & fairer Representation[2] in our Genl Assembly. As a Trustee[3] rely on my attendance and exertion at Hillsboro, where I hope to be if I am alive to assist so far as in my power to promote the Institution.—As to the late Assembly doing more, harm, than good, so far as their proceedings have gone respecting the Ordinance[4] matter I join you; tho they have done good in Lending the Univ. 5000£,[5] and I am indeed pleased at the extension of time & priviledges allowed our Canal Company;[6] as to the other business I have heard or seen little more than merely the Caption of the Laws passed, from which one cant judge; and my friends while at Newbern were not as communicative as I had reason to expect, from my attention to them.

I am really concerned to understand that business is dull at Fayetteville, your reason for it I think altogether probable, to encourage Commerce at our little Town ought to be the Wish of every friend to Capefear.

You surprise me when you say Moore[7] has not delivered the Lock. I hope he does not mean to let the Winter pass away, and keep us aback another Summer for Want of that Lock— I approve of the plan for the first Lock, the upper works which it seems is most likely to decay can be repaired at small expense —you say that the Lock now to be undertaken by Mr Monroe[7] is for the Second Seat, where is the One at present finished to be placed— I shall before I leave this Country at the rise of Congress make myself particularly acquainted with every information and in-

teligence relative to the proposed Navigation in this State &c &c agreeable to your directions—I am glad Mr Hay[8] can afford any assistance toward facilitating the Work on my account; tis what I have much at heart.—

I am glad you have receiv'd *McIntosh*[9] and that it pleases you.— before now you will have heard of the final passage & ratification of the Post-office & Post road Law, and that our *elder Sister* Wilmington and her Sons, have no just cause to exclaim at a Want of attention to their interests in the regulation of the Post roads; the old route as you speak of from Virgia. by Edenton, Washington, & Newbern is continued to W. ton, and We have added to this a Cross Post from Wnton to Fayette. far be it from me to attempt, (if I had it in my power) to do any thing that should, injure the Town or Citizens of Wilmington; I have always been convinced that the true interests of that *Town* and of *our own* was the same, they are surely by Nature inseperably connected, and why should they be jealous of each other; I Could Venture to pronounce the man who wishes to Create any other sentiments, as an Enemy to both places; it would be like parting *Man & Wife* When we reflect on the circumstances and manner which the More interior parts of our State have been heretofore treated on the subject of Posts, *We are the persons who should complain*— I may venture to say with great safety, that had the present new route been established at the Commencement of the New Governt. our Citizens would not have been so shamefully pillaged of their Certifes.[10] as they have been for want of a conveyance of information among the people, this has not only been a real loss to individuals but to the State; had our own People held their Paper Credit, they would have gained the advantage of the increased Value, and become friends and attached to that Government which they Now in some measure *abhor*— Mr Hamilton thinks as I do on this subject, and expresses real Concern at the event: since North Carolinas future importance begins to be known from the riches & Population, our Ministers &c will be cautious how they recommend measures in opposition to our Will and interests.

It appears to me indeed that the *Apostate*[11] T-y in his late vote and conduct was actuated by Chagrin & resentment of them, he lost sight of the true interests of his Constituents to gratify such passions, he is not fit to represent *Freemen*, and should be, as I think he will be dispised by those who were before his friends, and thereby become a proper example for future public Characters.—

I am very happy our Saw Mill proprietors are likely to get a good Market for Lumber. I think it probable the disturbences in the We Indies will have an effect to keep that article in demand.—

The subject of the Cession[12] of our Western Lands at the late Treaty with the Cherokee Indians, is most undoubtedly a very important and interesting event to the Citizens of No. Carolina, and I apprehend will be a perplexing affair to Congress: The papers relative to that business came enclosed to Docr. W-n[13] and are now before Congress, but as the Session is so near a close and so much business to be acted on before that affair can be taken up, that I fear no decision[14] can be had on the subject before we rise, however every attention shall be paid it.— The Memmorials of the No Carolina Merchants[15] have been read and referred to the Committee of the Whole House but has not yet been taken up; every person confesses the peculiar hardship of their Situation, but seem to think that Congress have not the power of redressing the grievance, I have myself long conceived the Citizens of our Country under these Circumstances in a very deplorable situation.

It was generally believed when Mr Hammond first came to America that some Negociation would be affected wh. might put things with respect to the Treaty, & Commerce on a proper footing; but latterly I have heard it suggested that there is little probability of those important events being brought about just now, between Mr H- and our Executive- this information is not from the best authority- indeed that would be in a measure impossible to be attained as the Senators are not very communicative on any matters before them.—

Congress[17] has been engaged in a troublesome investigation for some days past on a Contested Elec-

tion from Georgia between Genel. Wayne & Genl. Jackson; the Election is set aside and a New appointment must take place.

The Indian operations have induced a pretty considerable augmentation of Troops, consequently the expenses for the defense of the frontier is greatly increased more funds for this end than the *Surplus* in our Coffers it seems will be necessary—I suppose a Loan will be the plan—as a further tax would be highly impolitic at this time. We expect before the rise of this Session to amend the Excise Law by reducing the tax *8 Cents*, and ameliorating the other parts as respects searches &c &c &c—

As I send the papers regularly to Fayetteville to be filed at Col. Dekeysers for the inspection of the public, I beg leave to refer you to them generally for the News of Philadela. &c., and also my other friends who I hope will demand a perusal of them when ever they please; the information they contain will possibly be a little *stale* before they reach Fayetteville but when we get the new line of Posts established you shall hear from the Capitol in 8 days or 9 at farthest, after *the 8h of June*. I hope you will encourage the publishing of a paper at our Town We can certainly Support so desirable a thing—

There can be no excuse for want of News when the New Posts are fixed—

I am sincerely sorry to hear Mr Huskes[18] health still continues so unfavorable, and of the many deaths about Wilmington this Winter—

I would ask pardon for the length of my letter, but when I reflect that if We were only together for 15 Minutes I could communicate much more than it contains about Locks, Canals, Politics &c &c. I think the apoligy unnecessary— Be so good as to remember me to all friends— Believe me with respect and esteem

Dear Sir
your friend
& very Hum Sert.

W. B. Grove.

Philadela. March 17h–1792
James Hogg esq

NOTES.

[1] The General Assembly met at Newbern in 1791.

[2] By the Constitution of 1776 each county was entitled to one Senator and two members of the House of Commons. Many eastern counties were small and some western had ten times as many voters. The irregularity was partially remedied in 1835.

[3] Of the University, chartered in 1789. The meeting was on the 4th of August, 1792, and it was then that the Board chose by ballot Cypritt's Bridge in Chatham county as the centre of a circle of thirty miles diameter within which the institution should be located. The Commissioners of Location, were, Frederick Hargett, Senator from Jones county, Alexander Mebane, of Orange, soon to be a Representative in Congress, James Hogg, merchant of Fayetteville, Wm. H. Hill, a Representative in Congress, David Stone, likewise a Representative in Congress, and Willie Jones, of Halifax, a very influential citizen, not then in office.

[4] The Convention of 1788 enjoined upon the General Assembly to take steps for locating the state capital within a circle of twenty miles diameter of which Isaac Hunter's plantation in the county of Wake was the centre. This was very offensive to the people of the Cape Fear valley and of the regions west because they desired the capital to be at Fayetteville. The Act carrying out the ordinance was therefore displeasing to Grove.

[5] Equal to $10,000; for the purpose of finishing the "Old East" Building, the first erected. The loan was afterwards converted into a gift.

[6] The Canal Company was organized to make the Cape Fear navigable to the junction of the Haw and Deep rivers in the county of Chatham. A town, called Haywood, was there laid out and was expected to be a considerable commercial city.

[7] Contractors for the Canal Company. The locks being of timber soon went to pieces.

[8] John Hay, eminent lawyer of Fayetteville.

[9] Sir James MacIntosh's Vindiciae Gallicae, published in 1791, as an answer to Burke's eloquent assault on the French Revolution. It was very popular in America as long as the French fever lasted.

[10] One of the strongest arguments against Hamilton's scheme of funding the debts of the United States and of the States was that original holders of the certificates, had sold them at a great sacrifice. James Jackson, of Georgia, afterwards United States Senator and Governor, said, "Three vessels have sailed within a fortnight from this port, freighted for speculation; they are intended to purchase up the State and other securities in the hands of the uninformed, though honest citizens of North Carolina, South Carolina and Georgia." Hamilton's plan prevailed after much opposition.

[11] James Terry, Senator from Richmond county, did not stand by Fayetteville in the desperate efforts of her friends to secure the location of the seat of Government at that town. He was probably influenced by General Henry W. Harrington, of his county, one of the Commissioners who selected the Raleigh site and after whom Harrington Street in Raleigh was named.

[12] By the treaty of Holston, large areas were given up to the Cherokees. It was ratified in 1786. By a new treaty, that of Hopewell, in 1791, much land was yielded to the whites but the rest remained with the Indians. These Indian lands were mainly in Tennessee and in Georgia.

[13] Hugh Williamson, then member of Congress from the Edenton District. He was Professor of Mathematics, University of Pennsylvania, 1760–'4; Surgeon General of North Carolina during the latter part of the Revolutionary war; member of the Continental Congress, 1784–'86; delegate to the Constitutional Convention of 1787; Representative in Congress, 1790–'93; removed to New York; died May 22, 1819. He published "Observations on the Climate of America;" History of North Carolina, 1812; and many papers on scientific and political subjects.

[14] In 1783, North Carolina opened a land office to receive entries of land in the limits of what is now Tennessee, for the redemption of military and other certificates. Many surveys were made and grants issued. By the treaty of Holston, most of the territory was yielded to the Indians, North Carolina protesting through her agent and General Assembly. Thomas Person and many other claimants of these lands petitioned Congress for proper compensation, which was refused. Subsequently they were granted right of preemption whenever the Indian title should be removed.

[15] On the subject of seizure of our ships. An order in Council of Great Britain had been interpreted to authorize the seizure of all neutral vessels carrying provisions to France. This interpretation was afterwards disavowed, but not until much damage had been done.

[16] George Hammond was the first British minister to the United States, and Thomas Pinckney was the first from the United States to Great Britain. Hammond arrived in 1791 and left 1796.

[17] General Anthony Wayne, after the Revolutionary War, settled in Georgia on a plantation given him by that state. James Jackson was a prominent officer of the Revolution. He was a Representative in Congress, 1789–'91; Senator, 1793–'95 and 1801–'06; and Governor of Georgia, 1798–1801. General Wayne was unseated in 1792 on account of irregularities in the election. In the same year he was appointed to be Commander-in-Chief of the army and conquered the Northwestern Indians. After being unseated he declined to run again and was succeeded by John Milledge.

[18] Mr. John Huske, a merchant. He was son of the Private Secretary to Governor Burke, who was captured by Colonel David Fanning, with the Governor, and carried off to Wilmington. He left numerous descendants.

Grove to Hogg.

Dear Sir

For want of a Senate there could be no business

done untill the 20th Nov. when a quorum of that Body were present and enabled the Machine to proceed; the day following the President laid before both Houses his communications & details of the state of the Union during the recess of Congress—I have no doubt but you have seen a copy of his speech or address, and the answers of both Houses thereto as they have been inserted in all the newspapers, these papers contain all of the news worth relating here, and to them I refer you, as the object of the present is only to inform you that I presented your letter & memorial[1] to all the Gentlemen from No C. agreeable to desire, who I doubt not will do all in their power to obtain redress for the Petitioners.

The memorial it is thought should not be presented untill the Deeds &c. are here. as tis on their authority the claims are founded. I mention this to induce you to hasten them along: dont let any *one* Letter exceed 2 oz weight when you forward the deeds, if by post.—was there no existing Law of the State, Proclamation of the Crown or other Lawfull Mandate, forbidding Individuals or Companies of Subjects from purchasing these Lands at the time of the Indians? information on this, or any other subject that may occur relative to the business may be necessary.

Remember me to all my acquaintences about your place, and believe me to be with respect

Sir

Your Hum Servt.

W. B. Grove

Phila. 4th Decr. 1794.

Mr. John Hogg[2] left this on the 1st for Carolina, he will inform you, the taxes of your Land in Kentucky must be paid before April, or they will be sold-

James Hogg Esq.

NOTES.

[1] Memorial on the subject of the Transylvania land heretofore mentioned. The grants of North Carolina and Virginia

were available after the extinction of the Indian title. See next letter.

[2]John Hogg was a cousin and a partner of James Hogg.

Grove to Hogg.

3d Apl. 1794.

Dear Sir

I had began to form conjectures what had become of you, and whether our late misfortunes in Fayetteville might not incline you to forget that *Town & those belonging to it.* Your obliging letter however of the 6th March relieved me, and gave me consolation to find you had not lost sight of the interest of that unfortunate Spot, and that of its inhabitants— The Assembly leaving us so soon was to me an unexpected, and mortifying circumstance, and the late Fire seem'd to add misfortune, on misfortune—but still I hope we shall not be among the last— I hope yet to see our Town rise above *its misfortunes* and its enemies— As I presumed before now you have seen all that has been said by Mr. Jefferson on the one part, and Mr. Hammond on the other Relative to inexecution of the Treaty, I need say nothing on that subject as the Correspondence & Reasoning will wince [convince] any Man on which side the Reason & justice of the investigation Rests; In answer to what you ask respecting Mr. Jeffersons disapprobation of the measures of the Executive, I am informed they did not extend to the steps taken against Mr. Genet &c the letters on that subject were quite consonant to his own feelings as an American, but tis said he differed on some subjects with the other heads of Departments while the President was in Virginia—the Circumstance of his moderation adds to his honor and worth on that occation, as I have heard the Case; the [1]French Privateer Little Democrat, would have been Fired on on &c had he not refused his assent, the Consequences might have been attended with much evil at that time—

It is a Melancholy thing that such virtue as that man[2] possesses should ever be lost to this country while We stand in need of such Characters–his success-

or is a Compared to him either as to Virtue, knowledge—Republicanism, or Rational (Liberty &) Equality— Dont mistake me he is no anarchy man– no Demagogue of the mob—But he is for a plain Government and Adminisn. agreeably to the Principles and form of our Political association and Republican form of Government— He is for no Heterogenius introductions of Monarchy &c— Not even in our forms, or amusements— Let reason and equal rights and equal Laws obtain— The Committee on the Western Lands[3] have Reported Very favorably, but I will not flatter you on the adoption of the Report by the Legislature, for I know the thing will be powerfully opposed, principally on the ground that the State had never extinguished the Indian claims & had no right to sell those Lands— We will do what we can— You will before this reaches you have heard that Congress have been making serious preparation for the National defence &c. Such objects are particular requisite in a Country so unguarded as America is at present, but that aspect which some Conduct of Great Britian Wears, towards this country of late seems to justify & Call loudly for an immediate preparation of Defence. As I expect this letter will meet you at Fayetteville I refer you to my Correspondence on this subject to my friends & Constituents there, through Docr. Ingram, Mr. Hay, & Mr. Taylor[4]—but I cannot forbear saying to you that the Court of St James has most unprovokedly acted towards America an unbecoming, unjust, and perfidious part—and that We have good reason to believe (if the events in France have not Checked it) that measures were taking to destroy the Peace harmony, & Government of United America—

These things you will naturally suppose have alarmed us all here, and turned the attention of Congress to the objects of Self Defence and preservation. We are taking the necessary steps to bar our Doors, & Repel invasions—if they should be attempted— In short We mean to act just as you would do yourself, if your House was beset by a band of Robbers, fly to your arms and defend your property— An Embargo has been laid for 30 Days, it was principally intended to prevent any more of our vessels fallinginto

these Pirates hands of the We. Indies, until We could hear more of matters in that quarter & from England— We have information the orders issued by the British Court the 6th Nov. to seize and take all Neutral (that is American) Vessels &c for "Legal adjudication" has been revoked by New orders issued 8 Jany. and relaxing considerably of former restrictions on our Commerce— The principal Traders and Merchants in London as soon as they knew of the orders of the 6th Nov. (which by the way were issued privately) were very properly alarmed perceiving the consequences & effects it would produce in America, they waited immediately on Mr. Dundas as We are informed, Who assured them the words "Legal adjudication" meant nothing which could affect American property, the Judges however Who it seems had the intention construed to them, had actually Condemned great part of 250 American Vessels & Cargoes under the orders—and We are left to believe from that business and some other matters, these words would have meant all the Judges annexed to them, had not the face of Politics wore a different appearance in France on the 8th Jany, than on the 6th Nov.—

I hope, and feel confidant that all the Wourld who are impartial, must admit that the people and Governt. of America, are not to blame if this Country should be engaged in war with Britain—and even now we shall hold in one hand the Olive branch and sue for Peace and justice in the Name of "We the People of America"—Should it be refused—War I suppose must be the event, and the other hand which grasps the strength of the Nation will be used, & I can not help thinking that the energy, force & Vengeance of Free America will be next to the Wrath of G—d— I send you some papers preserve them, & make them public—

I am
Dear Sir
Your friend
& Very Hum Sev
W. B. Grove.

Mr. James Hogg.

NOTES.

[1] "The Little Sarah" belonging to the British had been captured by a French privateer and brought into Philadelphia. With the connivance and aid of Genet, the French minister, she was fitted out as a privateer. This was against our neutrality laws and measures were taken by the administration to stop her. On the assurance of Genet that the vessel would not be ready to sail for some time, forcible measures were not resorted to, as Hamilton and Knox advised. Genet broke his word and the vessel, newly named "The Little Democrat," sailed to prey upon English commerce. It was manned by American seamen. Washington was on a visit to Mt. Vernon.

[2] Jefferson resigned in 1794. He had gained the good will of all parties by his spirited action against the insolence of Genet. He retired to his farm at Monticello and there continued for three years keeping himself in touch with public men by his pen and hospitality,

[3] Heretofore explained.

[4] Doctor Ingram was not a public man. Mr. Taylor was John Louis Taylor then a member of the House of Commons, afterwards the first Chief Justice of the State of North Carolina. He afterwards resided in Newbern and then in Raleigh where he is buried.

Grove to James Hogg.

Philaa. Jany 23d—1794

Dear Sir

On arrival here I found that Congress had just got through reading the numerous communications laid before them by the Executive, most of my leisure time since has been devoted in perusing those papers which I have accomplished and have now time to think of my friends, and altho the information contained in some of those papers produce gloomy reflections and nothing very pleasant to communicate, yet my mind tells me I should write you *things might have*

been worse—as I take it for granted you have seen all the correspondence which passed between the Secretary of State, & the French Minister I need not enter into any detail on the imprudence and conduct of Monsier Genet—I shall only remark that very late despatches from the Executive Counsel of France express regret in this misunderstanding &c and assures the President that nothing of that nature shall or can effect the friendly regards the French people have for the American nation—What has passed between the Secrey of State, & the British Minister respecting the inexecution of the Treaty of Peace &c, I suspect you have not seen, as it has not yet got into the papers; the subject as handled by them, is indeed *interesting & important* and brings to mind past scenes & transactions of a tender & melancholy nature—Mr Hammond states at large the Complaints of his Court, of the Non-compliance & infractions of the Treaty on the part of America, urging the denial of Restoring the Loyalists, the continuation of confiscations, and above all the non payment of the British debts & *interest* &c &c—to these things Mr Jefferson has replied very fully, and in a masterly manner on the part of this Country proved that these charges are in a great degree not founded in exactness The documents to prove his assertion are annexed; he asserts that the two first subjects, the Restoration &c, & the further confiscation, were not by the Treaty *absolute articles* nor intended to be so, by the Commissioner for Negociating Peace as appears by their correspondence &c on these subjects at the time, he argues that the recommendatory articles considering *all things* had been more fully complied with than was generally expected—and that as to the Debts No Lawful impedement exists to prevent their recovery; as to *interest*, he argues and proves by the laws of England under the present circumstances *none should be demanded*, & that the Commisrs for Treating of peace understood the thing so, & left the subject open to the power to whom it belonged, the Judiciaries in the respective States & Jurors— I am of opinion his reason on this subject will be thought sound by those who are disinterested; he then proceeds to complain of the Violations of the Treaty

on the part of Gr Britain, he states that as soon as the Treaty was known & hostilities ceased, palpable infractions were committed under the authority of that government to *possitive* articles of the treaty, that 3000 Negroes had been taken out of the Country altho remonstrances on that subject were made, that No orders ever have issued for withdrawing his Majesties Troops out of our Country &c &c &c these explanations took place in June 1792 since which nothing further has passed on the subject, except that Mr. J.s representation was transmitted to St James shortly after its date and no answer yet made, only that Mr. Pinckney[1] mentions that Lord Granville[2] should have said to him he approved of Mr. J.s answer to Mr. H.s letter respecting the inexecution of the Treaty, from this tis to be hoped & expected all *controversies* on that score will soon be *forever* removed by a full compliance of all things therein stipulated— Some late[3] Treaties & regulations entered into by Great Britain with Russia, Sardinia, & Spain afford cause of fear and complaint on the part of America, particularly as regards our commerce our Trade has already been much cramped & injured by these Regulations which added to the Negoceation of Gt Britain & Spain with the Algerians has inflamed the minds of many to a considerable degree; in Septr. our minister was directed immedeately to *Remonstrate* against these regulations which amount to flagrant Violation of the Laws of Nations as respects the rights of a Neutral power; he was also requested to make known on the 8th Decr. the success of this business, that it should be known before Congress adjourns—the Algerian business is of a latter date and would have been the ruin of many in this Country only for the Convoy granted to 40 American Vessels by the Queen of Portugal, who it seems is displeased with the unasked friendship or interposition of England and Spain in bringing about the Truce between her Majesty & Spain & these sad Pirates, the effect of which would be to prevent that trade to her Dominions from America which is beneficial to both Nations— These things among others have been the cause of a set of Resolutions being Moved in the House of Repres. proposing to lay additional Duties on the Manufactures and Vessels of

Nations not having Commercial Treaties with America, particularly to effect great Gt. Britain so long as she may refuse to come into commercial Regulations with us upon terms of just and reasonable Reciprocity; many and Various are the advantages expected from such a system of Politics; tis said it would undoubtedly *oblige* that Government to come upon terms with us, & admit us into her We. Indies &c &c- that she cannot nor will not live comfortably without our *Custom* as consumers, nor without our Produce most of which to them is an actual Necessary of Life, and that now is the time to insist in this way for as free a trade, as we grant them, by which means the Value of our produce would be considerably & immedeately inhanced, & that it would free us from those indignities and shackles in future which have been litterly thrown on the growing Commerce of our Country- these are some of the reasons advanced by those who's Purity of sentiments I have no right to doubt but who's Politics as respects this subject does not work conviction in my Mind I am strongly impressed with an idea that Politics, & Commerce should *if possible* be kept seperate & distinct, and I can not help thinking it wants nothing but a little more Refinement among Nations who are Commercial to Make it so—If from Political Motives two powers were to engage in War, I am fully of opinion it would be to the real interest of both parties to suffer an uninterrupted Trade—I am of opinion in this commercial subject before Congress, Political feelings are to much alluded to—I confess myself chagrined at the appearance of the unfriendly dispositions Manifested by Spain & Britain towards my country, yet I can not think of doing by way of experiment to injure them, what I feel conscious might injure the Commercial and agricultural interests of America, *at least for a time*; the increase of imports & Value of Exports evinces the good state of our Trade to a Moderate degree, and the rapid addition of American Tonnage is a strong proof of the advantages already given to American Shipping by our Laws, and the improvements and progression of Manufactures among ourselves is a further proof of the good effects of the protecting duties on Certain Articles—Let us not be too anxious

for the Golden eggs, they will all come in due time tis to be hoped;and Let us not suffer the *Constitution*, of the Eagle that produces them, to be *impared*, by too many stimulating applications.—Congress has several matters of moment before them but have done nothing of consequence finally—I understood the Assembly have actually adjourned to Wake[5], not one of my friends have acquainted me how or when this was done, I really did not expect this event would have taken place so soon, pray inform me how it was effected, circumstanced as things are at the City.

I am informed the Landholders[6] are to apply to this Session of Congress for redress, you remember I told you all documents to prove the extinguishment of Indian rights would be Necessary—

I shall now conclude this Long Letter with requesting to offer my respects to Mrs Hogg & family, and to my other friends in Hillsboro.—

I am
Dear Sir
with respect and Esteem
your friend
& Humbl sert.
W. B. Grove

N. B.

To forget saying anything of French Politics wouldbe heineous—they as usual present to the Wourld a new scene, Their want of moderation is still to be lamented, but their Valour & Courage surmount every thing, their determination to be Free will baffle all attempts to the contrary—they have been in a singular Manner Victorious every Where—Duke of York[7] has fled to England, Coburg & Claircraft are defeated–Ostend is taken &c &c &c &c.

I have opened this letter to contradict part of the French News, tis now said the Duke has not fled & that Ostend is not taken—

I will write Mr. Alves next post, be so good as to tell him the Transfers of Inler[8] has not come on from Genl. Skinners office yet—tho it should have been here before now

[James Hogg Esquire
Hillsborough]

Notes.

[1] Thomas Pinckney of South Carolina; Major in Revolutionary War; Governor of South Carolina, 1789–'92; Minister to Great Britain, 1792–'94; Minister to Spain, 1794–'96; Representative in Congress, 1797–1801; Major General in the War of 1812. He was the brother of Charles Cotesworth Pinckney and cousin of Charles Pinckney.

[2] Wm. Lord Grenville (not Granville), the Secretary of State for Foreign Affairs, afterwards Prime Minister.

[3] The Algerines held some American sailors as slaves. Portugal had quarelled with Algiers and for some time kept its piratical vessels confined in the Mediterranean. The British Consul at Algiers procured a truce by which the vessels were allowed to pass the Straits of Gibraltar, thus leaving them at liberty to prey on American Commerce. Eventually in 1805 a treaty was made under which one million dollars was paid for the release of American captives and an annual tribute in addition. After the War of 1812 Commodore Decatur with twelve ships forced a new treaty, granting an indemnity, release from tribute and a promise not to make slaves of prisoners of war. Decatur then brought Tunis and Tripoli to terms.

The treaties mentioned by Mr. Grove between Great Britian and Russia, Sardinia and Spain were thought to put those nations on a better footing in regard to neutral rights than the United States.

[4] The Retaliatory Resolutions of 1790 failed. They were brought forward again in 1794 but, it appearing that Great Britain had modified its offensive order of June of the preceding year, its advocates acquiesced in sending a special Minister, John Jay, to negotiate a treaty.

[5] The General Assembly held its first meeting at Raleigh, the Seat of Government, in November, 1794.

[6] This refers to the application of Thomas Person and others heretofore explained.

[7] Frederick Augustus, Duke of York and Albany, second

son of George III. In 1793 he was sent to the Netherlands in command of an expedition to act with the Prince of Saxe-Coburg against France. He gained no honor. The army would have been ruined but for the able management of Abercromby. He soon threw up his command and returned to England. The Duke of Coburg, and General Clairfait, commanders of the Allied forces, were beaten and Belgium overrun.

[8]Judge Richard Henderson, James Hogg and others bought an immense tract in what is now Kentucky and Tennessee from the Indians but the purchase was disallowed by North Carolina and Virginia. Each State however gave the company 200,000 acres. This allusion is probably to deeds for portions of this land.

Grove to General Steele.

Phila. April 2d—94

Dear Steele

I believe you have heard from me twice since I recd your favor of 18th Feby, in those Letters I just acknowledged the rect, of yours and gave you a few lines on the spur of the occation without replying to the several matters contained in it; I have now set down to fulfill your request & my own inclination in giving you a full account of *all things*, so far as is consistant with the length of a letter, & a regard to your Patience in perusing it— You afforded me consolation by your observation on the Resoluts. respecting Commerce &c I was the only Member from the State that did not from a Principle of Policy think favorably of the system, Colo Gillespie[1] had doubts but they ended in a fixed opposition, & had any final Votes been taken him & myself would have been alone from No. C— I really join you in the opinion that you entertain of the Views and Policy of some of the Dom—n Gentry, and if we Wrong them in attributing those motives to them, tis only paying them part of the inters. of the *Wrongs in that way*, they have urged on others— But the Resolutions at present are in a trance, and if the Motives of the mover

and some of the Advocates were to bring about a misunderstanding between this Country & Gt. Britain, *they are likely to see their Views accomplished*, and perhaps like Deamons, *so evil is produced*, they are gratifyed no matter from what Cause— In answer to your observation, relative to the Pamphleteer & his aid, I would not advise any man to ride a mile to *Correct* them, or their dastardly squibs—tho I would put a black mark on them to know them again.

Shortly after my arrival here from the Assembly you & your Public Conduct was matter of conversation at our Lodging one evening, present our friend Macon, *The Honol. John Brown*[2] *of the Senate*, Colo Blount, Colo Parker, and Colo McDowall, with some New England Gentln. who live at Francis's with us, and a certain *High Priest*[3] of the Jews I believe, tho a mighty Dominion *Man*— Some of the Company by insinuations &c &c, "were *induced* to *fear* your Conduct was disaproved of generally in our State," & in your own Country in particular—that you were *not fond* enough of the Virg-s, or as I replyed you were not *subservient* to them— You were too intimate with Mr Hamilton, as proof he had Breakfasted with you —"in short, time would show that the People of our State would desert you"— I need not tell you to all these things I did not *hesitate* to reply in *pretty warm* terms and to lug out the monster *envy* which I considered had Created these sentiments— I ended by saying what I *vervly* believed without any flummery, that for every Vote you had ever given, you had an honorable & honest motive, & that you were the most *Popular Man* in the State, and that before the then Sessn. of Assembly rose, if an oppory. offered, my declaration would be Verifyed—so that independent of my pleasure at your appointment of Major General I felt my judgment at stake. The Honol- J—e,[4] "*Cauvauted*"[5] dont laugh at the expression, it suits the idea I meant to convey, and you know tis orthodox from the *Derivation;* he felt for the honor of his Honol. friend, & all the Honol. Military Gentl. of his District &c— I laughed, I soothed, I reasoned, I did better, I told him as *he* was inelligeble from the present Honol. station he was in, I did not know a man in the Division so proper in my opinion as yourself—

this in a degree lulled his active soul to rest— If he had less Vanity & a little more understanding he would be passable—all these things as you say are a sort of Confidential scribble—

To give you a tolerable idea of the Worthies of Congress is no easy job—of the New Hands however I shall try to give you some impression of the abilities &c of the Speakers so far as I am Capable of judging—lets begin at the foundation, & at North Point—from N. H. Mr Sherebourne[6] is a man of talents and speaks handsome, tho seldom— Massts. Mr Dexter[7] a calm reasoner, rather refined for Common ears, a man of good sense— Colo Lyman[8] often on the floor, not very flowery nor tedious, but a little of Roger Sherman[9] in Cun-g— Genl. DearBorne[10] an old Continental officer, Strong natural sense, and in all a pretty clever man—better fitted for the Military than a Legislator however— C-t- Mr Swift[11]-speaks sometimes—a good natured man, tho no Orator— Mr Tracey[12] a man of humour and a strong mind, he is of considerable Weight—tho not very refined in his pronunciation or Language, he is like most of his Country Men clear headed, knows what he would be at, and has a tolerable manner of expressing himself, that others may see his object— Mr Coit[14]—speaks very seldom, tho in my opinion with perspicuity, & handsomely— R. I.[15]—you know the old Member, & the new one does not Speak in the House— N. Y. Mr Watts[16] from the City is no Orator, but I believe he is a man of pretty good understanding, Mr Gilbert[17]—Speaks correctly, tho has an impedement— N— Jersey— no new Speaker— P-a- Mr. Smiley[18] a man who was very Popular in the State Assembly, he is a great Demo- and taulks tolerable Well—you know Mr Scott[19]—he is a right sensible old Man— D[20]—, all the Oratory of that State in the Senate - M Mr- Smith[21] of Baltimore—a Red hot flaming Speaker, a good Merct.—a Warm Patriot—rather too much fire for a Politician and a Calm Legislator— V-a- Mr Nicholas[22]—A good Voice & tolerable orator, he is too warm & fond of annexing wrong *motives* to those who differ from him— Mr. Harrison,[23] a pleasant Man and speaks pretty well— N. C.— Oh, ah—yes, true— you are *acquaint* then with the Gentleman *I allege*—

S. C.— Mr Hunter [24] is a man of sound judgment, and a tolerable Speaker— G [25]–Mr Carnes [26] has Handsome talents for Speaking, but from Diffidence or other causes, he seldom says anything— *So*, I have gone through the Continent in the lower House, perhaps I have not done Gentlemen justice, but really I meant not by what I have said to *injure one of them*— Now Mr G— be so good as Step up Stairs, and take a peep into the Senate Chamber—That Mighty Conclave, where it has been Surmized Majestic Majick dwealt, where the illumined minds of mortals shone so bright as to exclude the rays of light from Heaven—where it has been suggested that Dangerous *Vice* sets as a Mirror on a throne, to make that hateful Monster *aristocracy* lose all its proud & surly Features by dressing it in the garb of Drusilla— The Deception however is discovered, and the Lords, the Mighty Lords, are to be beheld as soon as accomodations can be prepared for the People, who in their Compassion must behold some of them with *Pity* because they *may* expose their Weakness in an unguarded hour— to be short with you the Doors of the Senate are to be open next Sessn.—when some of the Within will shew their *Nakedness*— I was prent at times during the Discussion of Galatines Election, he has lost his seat, not having been an Actual Citizen 9 years—tho an Inhabitant 11 years or near it, he only wanted a few months — The Genl. [28] is still that warm and Vociferous Orator you knew him—When below, he spoke so that those above, might hear, Now he wants those below to participate— Govr. Martin [29] was a *stiff* Advocate for opening the Doors, and gained no small Credit for his perseverance, & success in *his Motion*—

It is indeed a very unpleasant thing to be confined in a Close room, or indeed in a ho–l–l–w L–g [30] in a Warm day— By the Lord you'l bring me into a scrape—

You ask what influence brt. Randolph in—I answer it, by saying tis the question every one asks, and No one can tell— I think from the genl. opinion let what ever influence put him in, he will carry not much out I suspect—even the Virginians are displeased at the appointment—but tis said Madison

would not accept it— It is said Knox[31] & Hamilton will resign—I dont believe it—tho if We should have a War, I think tis probable Hamilton will be Commd in Chief— He is Certainly a Man of fine talents, and altho I dislike his Politics on many subjects—I do admire his Genius— I go very seldom to Court[32] and less to Madams than usual the Theatre takes off many Ladies—& you may often make your Bow to her & Miss Custis and perhaps not see five Ladies the whole eveng.— I suspect your remark that a Man should make his *Nod* on Tuesdays to be remembered is true enough—you know however the *Man*, whatever he may think he says little on any subject—altho I think he is more relaxed in his conversation than formerly—

I assure you I felt concerned on hearing of the Death of the old Genl.[33]— I sincerely wish all his family Well and am Sorry for the Girls if he had failed in making proper Provision for them—for in my opinion they are Deserving of every thing that should make them Happy there not having Fortunes would not lessen their Worth in my Mind—and if I remember Well I thought Pol-y- a remarkable fine Woman —I wish then both well Married & very Happy—

"Hey ho-so, she has *got it* at last has she— Does Anderson become a Member of your Town? I told Genl. Lock[34] the Widow was renewing her age, & that I expected she would *Captivate* him when he got home— Your apology for what you call trifles in your letter was not necessary, every thing relative to a Mans Country & acquaintences is interesting to him, more especially when he is from home—and such little anecdotes are to the mind, what Syllabubs, Custards and ice Cream are to the Stomack after a hearty meal, they tend to assist digestion and qualify the Cruder substances, as I mean to begin a new Sheet with a New Subject I must end this space with this subject—then such trifles assist, and *tend*, *tend;* to fill up a Sheet as I have done this, & as Boys eat bread to fill up chinks

I believe Mr Macon & myself have Warned you of the threatening Storm, I assure it has a dark appearance— Orders were privately issued from the Court of St James on the 6th Novr. to all the armed Ves-

sels &c of his *Majesty*, to seize all Neutral Vessels bound to or from the French Islands and take them as Lawful prize &c—our trade to France has been knocked up by a similar order in Augt—but it being made public our Merchants & Vessels conducted accordingly and no very great injury was done further than preventing us pursuing a fair & profitable trade —remonstrance was made—and a promise in part to restore property &c however this further order of 6th Nov. was issued and put in force before our Minister at London knew any thing of the business—he wrote on 25th Nov.—when he informs us Lord Grenville expressed great respect for the Americans & their Neutral rights—that his Majesty was pleased at their prosperity and a D—n deal more such stuff—when at that very time or a few days before they had issued orders to Seize & Condemn all our Vessels which were on a fair Commerce, for the Americans were allowed to trade to the French Islands before the Death of the King nearly 2 years— We have received within a few days a taulk Delivered by Lord Dochester to the Indians, full of hints and insidious language, pointed at the Und States—he tells them tis not unlikely his Master may be at War with us—&c &c. and that they shall find a Friend in the British People either in Peace or war—that We have forfeited these Lands & Ports or words to that amount— Our Consul at St Eustatia has given us a few days ago an account officially of the Depredations & Spoilation Committed by the British Creuzers under the order of the 6th Nov. upward of 250 sail American Vessels are taken, 150 Were Condemned—and the same fate awaits them all—you must at once see the effect these things added to all other injuries produces in the public mind against that faithless Government of Gr. Britain— In Novr. last that Perfidious Court full of hope & Conscious of success, from her uncommon exertions & that of the allies against France—had beyond any Manner of Doubt formed a plan of *Ruining* the Commerce of America, and our growing Marine, of prostrating us once more at her feet where No Mercy is to be expected—and perhaps all powerful by her allies she meditated a Serious design of Subjugating Freedom, Liberty & Republicanism, in *Amer-*

ica, that Spot where the Sacred flame first appeared in modern times, and I hope it may never be extinguished but by a total annihilation of the Very Earth itself— That such a plan and System has been Contemplated by Britain & her Combined Despots begins to appear as clear as day – They thought Conquering France & Dividing it would be Nothing, While Freedom and the rights of Man in a rational sense remained triumphant in America, that spot where French Men Caught the Never dying flame, the effects of which has Shaken Europe to its Center, and made every Tyrant Shudder on his Throne— I say they thought reducing France to her former Misery, would be but half the Work, they premeditated the putting the ax to the root, and that must be done in the United States— What a Scene of horror does the very idea present—and what feelings do they produce in an American breast— America the assylum for the oppressed and Virtuous of all the World, where even Vice itself loses its powers in a measure, because there exists little inducement to be Vicious —Where all Men enjoy under a System of Laws equal rights, & equal advantages, Where the rights and interests of Strangers are guarded & protected in a peculiar Manner—Where the Citizens & the Govern't. in their intercourse, with *other Nations*, treat them with Friendship, Justice, & open Candour, Where the Subjects of all Nations can dwell in peace & safety, pursue their several occupations, and retire with all their Effects to their Native Country, loaded with the Wealth they acquired among us—under such circumstances is it not wonderful, is it not Melancholy, that there should exist a Set of Men, Combined by fell ambition—to Destroy the Peace & harmony of such a Country— Yet such has been the Case I do believe—and had not the French been so graciously successful the last Winter, I suspect American Blood, would have mingled With the Cut throats of Europe in our own Country before Next Jany—

But the Republican French have been uncommonly Fortunate in repelling their Enemies, so much so as to give a strong hope Peace may be expected, or at least the fangs of the Lyon are so blunted as to apprehend less danger from him—and John Bull begins to

be tired of the business, tis believed— Tho we have yet got Nothing from Mr Pinckney since Novr.— An Embargo is laid for 30 days, it may be the means of making Sir Chs Jervis and his troops in the We Indies keep tent; until we know more of matters—tho we have by way of We Indies a New Set of instructions of the 8h Jany—annulling the orders of the 6th Novr. and giving Americans some little more freedom of trade, but We will shew them before We are Done, Americans dont intend to obey the King & Counsil— as our fore Fathers did; they order Matters better in America Now—a Resolution has been under Discussion for two days proposing to Sequester all British debts to be pd. into the Treasury as a fund to pay the Amern. Citizens in case Justice is not done them by the British Govert— I confess I do not like to meddle with private Contracts, but really I see no other mode of Securing such a faithless Governt. to Keep the Peace & Do Justice—

We have a plan before us for organizing 80 Militia —I send you the plan as Reported. to raise 800 More Men to guard the Several Ports and Provisionally 15000 Regulars in Case of War these things will astonish you I am sure, tho they are only propositions —I am for No other force than the Young Men of the Militia from 18 to 25—or so and particularly while tis Not Certain we shall Want no other force— The increase of Expenses, Fortifications, purchasing arms &c &c &c will make the current expenses upwards of five & one half Million Dollars for 94—the probable Deficiences of Revinue is 2,340,000 Dollrs. deducting the probable Deficiences of impost— I am one of 15 —a Committee on this subject to report ways & means— We have done Nothing final yet, we had a Meeting yesterday, & had Secry H— before us, he appeared cursedly Mortifyed— Those on the Committee who had been always opposed to References to him on this Subject made no great Show— I expected Mr Madison would have come forward with some System but he did not— I suspect We Shall Employ the Secry yet— Stamps on Law papers & assignments was proposed be taxed as one fund, Carriages of Pleasure, and finally Land— I really fear We shall be obliged to lay a small tax on Land, or

Polls What do you think— Will the People run the risque of leaving our Country in a defenceless State rather than pay a Land tax—

I signed a paper a few days ago drawn up by Hawkins, addressed to the People of the State, tis to be in Hodges paper— I dont know that it Can do any harm, but on reflection I wish I had not put my Name to it— Macon was the only one that did not sign it —all our acquaintences are Well— Farewell my Dear Sir and let me hear from you—Adieu

W. B. Grove

Genl. Steele

NOTES.

[1] James Gillespie, of Duplin County, North Carolina; Representative in Congress 1793-'99, and 1803-'05. He supported the Resolution, for retaliation on England.

[2] John Brown; delegate to the Continental Congress from the Kentucky District 1787-'88; Representative in Congress 1789-'92; one of the first Senators from Kentucky 1793-1804. He was the last survivor of the Congress of the Confederation. He died in 1804.

Thomas Blount of North Carolina. Representative 1793-'99 and 1805-'7; again 1811-'12. He died in 1812 and is buried at Washington. He was Lieutenant in the Revolution and afterwards Major-General of Militia.

Josiah Parker, of Virginia; Representative 1789-1801.

Joseph McDowell, of North Carolina; known as of Quaker Meadows; fought at King's Mountain; opposed the adoption of the Federal Constitution in 1788; Representative in Congress, 1793-'95, and again 1797-'99. Some say that Dr. Joseph McDowell, of Pleasant Gardens was the Representative of the latter date.

[3] I suggest that Albert Gallatin is here meant. He had been refused a seat in the Senate because he had not been naturalized nine years. He was not a Jew but being a foreigner and especially odious to the Federalists by his having been concerned in the Whiskey Insurrection and by his ag-

gressive ability as a leader of the opposite party, Grove may have suspected that he was of that religion, which was then more unpopular than in recent years. Gallatin was a Representative from Pennsylvania, 1795-1801; Secretary of the Treasury, 1802-'14; Minister, with Clay, Adams, Bayard and Russell to negotiate the treaty of Ghent in 1814; Minister to France 1815-'23; Minister to Great Britain 1826-'27. Removed to New York City, where he was President of a Bank, of the New York Historical Society and the United States Ethnological Society. Died 1849.

[4] I am doubful as to the identity of this gentleman. Spruce McCoy, of Salibury was a State Judge at that time and "Hon J–e"(Judge) may mean him. There is no evidence that he was in Philadelphia. Matthew Locke of Salisbury was a member of Congress but was never a Judge. Perhaps he had been Chairman of the County Court and Grove may have given him the title sneeringly.

[5] This word is an Americanism, corrupted from curvetting, i.e. prancing around.

[6] John Samuel Shenburne; lost a leg in the Revolutionary War; Representative 1793-'97; U. S. District Judge from New Hampshire, 1804-'30.

[7] Samuel Dexter; a Federalist; Representative 1793-'95; United States Senator 1795-'99; Secretary of War, May 13, 1800; of the Treasury, December 31, 1800; a leading practioner before the Supreme Court of the United States. Published a poem, "Progress of Science," and a volume of Speeches and Pamphlets.

[8] William Lyman, Brigadier General of Militia; Representative, 1793-'97; Consul at London 1805-'11.

[6] Roger Sherman; a Judge in Massachusetts and then in Connecticut; delegate to the Continental Congress, 1774-'84; delegate to Constitutional Convention of 1787; Representative in Congress, 1789-'91; Senator, 1791-'93. His high reputation will hardly be diminished by Grove's charge of "cunning."

[10] Henry Dearborn; resident of Maine, when a part of Massa-

chusetts; Major General of Militia, 1789; Representative, 1793-'97; Secretary of War, 1801-'09; Senior Major General in the war of 1812; Minister to Portugal, 1822-'24.

[11] Zephaniah Swift; Representative, 1793-'97; Chief Justice of Supreme Court of Connecticut, 1806-'19; Member of the Hartford Convention; Published some law books on legal subjects.

[12] Uriah Tracy; Representative, 1793-'96; United States Senator, 1796-'1807. Died at Washington, 1807.

[14] Joshua Coit; Representative, 1793-'98; died 1798 at New London of Yellow Fever.

[15] The old member was Benjamin Bourne; the new, George Leonard.

[16] John Watts; Representative from New York City, 1793-'95.

[17] Ezekiel Gilbert; Representative, 1793-'97; was a lawyer at Hudson, New York; Paralyzed, 1812, and was a sufferer for thirty years afterwards.

[18] John Smilie; Born in Ireland; Representative, 1793-'95 and 1799-1813. Died 1813 at Washington.

[19] Thomas Scott; Representative, 1789-'91, and 1793-'95.

[20] Delaware. The Senators from this State were then Henry Latimer and John Vining. Vining was a frequent speaker, Latimer not at all. Probably Grove had in mind the distinguished George Read, who resigned in the latter part of 1793.

[21] Samuel Smith; a Revolutionary Colonel; Representative 1793-1803, and 1816-'22; Senator, 1803-'15, and 1822-'33; Commanded Maryland troops in repulse of British at Baltimore, 1814; Mayor of Baltimore.

[22] John Nicholas; Representative, 1793-1801; Removed to Geneva, New York; Member of State Senate and County Court Judge. To be distinguished from Wilson Cary Nicholas, delegate to the Constitutional Convention of 1787; U. S. Senator, 1800-'04; Representative, 1807-'09, and Governor of Virginia, 1814-'17.

[23] Carter B. Harrison, Representative, 1793-'99.

[24] John Hunter; Representative, 1793-'95; U. S. Senator, 1797-'98; a farmer.

[26] Thomas P. Carnes; Born in Maryland; settled at Milledgeville, Ga.; Attorney General; Judge of Supreme Court of Georgia; Representative, 1793-'95.

[27] The Senate sat with closed doors until 1795. This was very unpopular, especially in North Carolina where the custom had been for the members of Congress to appear before the General Assemblies and report their actions.

[28] James Jackson; Senator from Georgia, 1793-'95. He was a Representative, 1789-'91.

[29] Alexander Martin. Born in New Jersey; Graduated at Princeton, 1756; began practice of the law in North Carolina, 1772; Colonel of the Continental Line at Brandywine and Germantown; State Senator, 1782-'85, and 1789-'92; Acting Governor of North Carolina, 1781-'82; Governor, 1782-'85, and 1789-'92; U. S. Senator, 1793-'99.

[30] This humorous sally alludes to the charge against Governor Martin that he hid in a hollow log at Germanton. The matter was investigated by a court martial, which acquitted him.

[31] Edmund Jennings Randolph; Aid-de-camp to Washington; Attorney General of Virginia; delegate to the Continental Congress, 1779-'82; Governor of Virginia, 1786-'88; Attorney Genernal of the U. S.,1789-'94; Secretary of State in place of Jefferson, resigned, 1794-'95; Invited to resign in consequence of an apparent intrigue with the French Minister, Fauchet. He published a "Vindication" of his conduct, which many think is unsatisfactory.

[31] Henry Knox of Massachusetts; Major General in the Revolutionary war; Secretary of War, 1789; Resigned in 1795. Alexander Hamilton, Secretary of the Treasury, resigned the same year.

[32] Washington's levees were held every Tuesday afternoon from three to four o'clock precisely. The guests stood and he walked to them, saying a few words to each, bowing but not shaking hands. The levees of "Madam," or as she was usually called "Lady Washington," were on Friday evenings

from eight to ten, and usually were attended by the fashionable of the city. She was a charming hostess. The President often attended and seemed to enjoy the beauty and sparkle. Miss Eleanor (Nelly) Custis was the daughter of John Parke Custis, son of Mrs. Washington, after her father's death adopted by the General. She was very vivacious and attractive. She married Washington's nephew, Lawrence Lewis.

[33] Probably General John Smith, of Rowan, who married the widow of Moses Alexander of Cabarrus, the mother of Gov. Nathaniel Alexander, and William, Mark and Wallace Alexander, all in the Continental Line of the Revolutionary army. Wallace was a Senator from Lincoln County. One of his daughters married Archibald Henderson, and another, Wm. Locke, nephew of Judge Locke.

[34] Matthew Locke; Representative, 1793-97, from North Carolina. Mr. Grove's sarcastic allusion to a new North Carolina Representative was pointed at Joseph McDowell and not at Locke, I think.

Grove to Hogg.

6th Feby 1795

Dear Sir.

The enclosed sheet of our Journal will inform you what was the result of the Vote in Congress on the application by Thos Person & others for Compensation for Lands in the So. We. Territory—

The subject took up great part of two days and I believe nothing was omitted that could be said on either side. Mr Smith S C was an able advocate, but the House seemed assured the Indian claims had never been fairly extinguished since the Treaty at Long Island of Holston in 1777—which gave the Indians that part of Hendersons purchase lying on the head waters of the Cumberland River—

A proposition is now made which seems to be generally approved of, that a Treaty should be held with the Indians & their right purchased when the Proprietors of Land in that Country Would have their titles perfected and might occupy their Property—

We have had no determination on the Companies Claim, but from what was Said on the other subject I have no expectation any thing can be done for them exclusively— We therefore Wait under a hope the Indian claims may be purchased, or at least that an attempt may be made— I shall write you again on this subject—

Mr Jay has entered into a Treaty with the British Govert., which We hope & believe will be favorable to this country, altho the several articles are not known—as soon as it arrives & is confirmed by the President & Senate it will be published— The last accts. from the Seat of War in Europe, they were as usual Fighting away like Mad men on all sides The French are still Victorious in Holland and Spain— We were induced to believe from some late accts. that a Peace was desired & concluded between the French and some of her Enemies, but this rather doubtfull—

I am
In haste
Your friend
O H Ser
W B Grove

[James Hogg Esq
Hillsboro. No. Carolina]

Grove to Hogg.

Philaa. Jany 4th, 1797

Dear Sir

You have no doubt seen the Charges [1] of the French against the Government of the United States as exhibited by their Minister *Mr Adet* through the medium of the public prints; this unexpected event, & strange conduct of our old allies has naturally created considerable alarm & anxiety, the more as we understand they are in the West Indies executing the *Decree* in the most extensive latitude by seizing & condemning all American Vessels & Cargoes without paying much regard to forms, or to the Ports from which, or *to which*, they are bound—*these Charges* are the mere pretects thrown out to Colour their *Decree*, which is in open Violation of Treaty & the Laws of Nations, neither of which is regarded by

them, when they stand in the Way of their present *grand design* of cutting up all commerce to British ports, disregarding the Consequences it may have on the Neutral commerce, & particularly *on the U S.* as they know our Trade is mostly with Gt Britain— Thus these two powerful rival Nations are inattentive to Justice or principle, towards others; if they can do *each other an injury*, they are regardless of the Means; and alas, the unprotected American commerce is at their mercy and they have treated it as if they knew Not What *Justice or Mercy Was*—

[2] The enclosed Paper contains a lengthy reply & refutation on the part of our Government, of the French charges of "*insiduous Neutrality*" *&c &c*— I I hope there is not a real American who does not feel as he ought on such an occasion, a contempt for such a declaration, against the *Will* of a Free People, who desired to be at Peace with the Wourld, & have dealt fairly with all.

That the Government of the Ud States eluded & defeated all the plans and intrigues that has been on foot to Yoke America into the European War has probably given *offence* to the French and if using every rational & honourable Means to Maintain Peace in this Country, & keep free of the Desolating War of the old Wourld has been an offence to the good People of America, *their Government has been guilty of it*— It is to be hoped the Negociations going on at Paris may speedily terminate the War, otherwise our Commerce to Foreign Countries will be in a great measure ruined, & the Government will of course be driven to the necessity of a *Direct Tax*, which subject is now before us to be in readiness for Deficiencies of import & Tonnage—

Mr Adams is Elected President,[3] & Mr Jefferson Vice,—this is as we both wished, if I remember— the latter Gentleman will serve, & expresses satisfaction at the Election of Mr A—whos Character & Patriotism it seems he, does, &, ever respected— that Mr Adams got only one Vote in our State, *& Mr Burr 6*, reflects no great judgment or respect of a Proper Character to fill so important an office as President, in our Electors— Mr B—— could not get one Vote in the State he belonged to, & where he was

bred & born, nor in either of the adjoining states—& yet he got 6 in No. Carolina— Mr Adams did not lose one Vote in 8 States—and got some votes in 4 others— I hope his Conduct in the Execution of the high trust reposed in him may prove Satisfactory to his Country, & may be the means of shewing to the Wourld that he is a real *friend in action* and Principles, to the Republic of America, as established by our Constitution.

The Winter is the most Severe one, that has been known for many Years, and the Westerly Wind prevents us getting late information from the other side of the Water— The articles[4] for the University were shipped from London in Novr., & the Vessel is not yet heard of—this may prove a further disappointment to the University; & a loss to Mr Richardson by whom they were to be imported— — I shall be gratified on hearing from you, the News and Politics of the State—remember me to all acquaintances in and about Hillsboro—

Believe me to be
Dear Sir
with esteem and regard
your Huml Sert.
W B Grove

James Hogg esq,

NOTES.

[1] These charges were in substance, as summarized by Tucker:

a In abandonment by the United States of their neutral rights. It was contended that the United States would insist on the principle that neutral ships make their cargoes free, and resist the extension of the list of contraband articles.

b That the United States had violated the treaty of 1778, especially in not giving French vessels more privileges in our ports than English vessels.

c That the Jay Treaty with Great Britain discriminated against France.

d That the Cabinet in 1793 discussed the question whether

the treaties with France were binding, also whether they would receive the agents of the proscribed princes.

e That the United States made an insidious proclamation of neutrality.

f By chicaneries the courts of the United States were unjust to French privateers.

g The United States had eluded the offered mediation of France with Algiers for relieving American prisoners.

h It allowed French vessels of state to be arrested, contrary to treaty.

i It suffered England to interrupt its commerce with France.

j It suffered English vessels, which had insulted the United States, to take refuge in her ports and thence cruise against the French.

k It in effect applauded English audacity; allowed French colonies to be blockaded.

l It eluded French advances for more favorable treaties, while it sought a treaty with England which prostituted its neutrality, and forgot the services France had rendered in the war of the Revolution.

m That from the New York Coffee House the entwined flags of the two nations had been removed by the proprietors.

n That an American almanac had failed to give precedence to French diplomacy.

o That the consular convention between the two nations had been rendered illusory in two particulars.

p That Minister Fauchet, on leaving the United States, hed been subjected to annoying treatment by a British ship.

[2] The answer of the United States as given by Tucker was, in substance:

That the United States did not violate our treaty or weaken our engagements with France; that no resistance was made to the measures of Genet and others of her agents, except what was required by our laws and neutral obligations; that it never acquiesced in violation of our rights or stipulations

with France, but has opposed them always; that it has furnished France all succor allowable to neutrals; that the United States as a sovereign, as well as by provisions of the commercial treaties with France, had the right to enter into commercial treaties with Great Britain or any other nation; that no facts showing partiality to Great Britain could be produced.

If there has been greater promptitude to act against unlawful acts of French cruisers, it was because they were more frequently committed on account of the greater sympathy of our people with them. And when British ships of war entered our waters with their prizes, the government had no means of punishing such infractions without calling out the militia.

[3] In the election of 1796 Connecticut, Delaware, Massachusetts, New Hampshire, New York, Rhode Island, Vermont, voted solidly for Adams. Maryland gave him 7 out of 10 votes, North Carolina 1 of 12, Pennsylvania 1 of 15, while Georgia, Kentucky, South Carolina and Tennessee voted solidly against him. Kentucky gave Burr 4 votes, Maryland 3, North Carolina 6, Pennsylvania 13, Tennessee 3, Virginia 1. Jefferson received 4 each from Georgia, Kentucky and Maryland, 11 from North Carolina, 14 from Pennsylvania, 8 from South Carolina, 3 from Tennessee, and 20 from Virginia. Thomas Pinckney had from Connecticut 4, Delaware 3, Maryland 4, Massachusetts 13, New Jersey 7, New York 12, North Carolina 1, Pennsylvania 2, South Carolina 8, Vermont 4, Virginia 1. There were 15 votes for Samuel Adams from Virginia, 11 for Oliver Ellsworth from Masssachusetts, New Hampshire and Rhode Island, 7 for George Clinton from Georgia and Virginia, 5 for John Jay from Connecticut, 3 for James Iredell from North Carolina, 2 for George Washington from North Carolina and Virginia, 2 for John Henry from Maryland, 2 for Samuel Johnston of North Carolina from Massachusetts, and 1 for C. C. Pinckney from North Carolina. Thus Adams had 71 votes, Jefferson 68, Thomas Pinck-

ney 59 and Burr 30, and under the constitution as it was then Adams was President and Jefferson Vice-President. Pinckney was a Federalist and Hamilton vainly endeavored to have him receive more votes than Adams. The total number of votes was 138, but it was not required that the Vice-President should be chosen by a majority.

[4] The articles, electrical and other apparatus, for the University of North Carolina, arrived safely.

Grove to Steele.

Fayette Ville Octor. 1st —1802

My Dear Sir

I returned yesterday from Hillsbror, where I went on the 9th Septr. with Mrs. G— on a Visit to her friends; on my return I found in the Post offlce your favor of the 16th ult. which gave me the first information of your return home, altho' I made enquirey after you while in Orange—I hope your Family have recovered since you wrote, & that you continue to enjoy good health in the Native climate; tho' Salisbury is looseing its reputation of being healthy.

From your letter, & the Copy of the one to the head of your Department, which you have done me the favor to enclose for my perusal, I perceive with regret, that you have new cause to be dissatisfied with your position in the Govemt.

As soon as I read the report of the *Investigating* discriminating & criminating Committee, I could not help seeing the *deep cut* made at the Former Treasury Departt.[1] From the temper & Views of the majority of that Committee, It was to be apprehended they would sieze on every possible case to injure the feelings & reputation of the former Adminisn. but from the Examination & report of the Committee of the session before last, on the Treasury Departnt, I did suppose the *new investigators* would find little to add, as to that branch of the Government; but in the spirit of the times, they have wisely and economically discovered, that for want of *their legal aad saving construction* of the acts of Congress, monies have

been disbursed without an act of appropriation, of course these monies should be refunded, & they the Committee appointed as a standing Board of expounders-!-The contempt mixed with indignation which the late Report excited in me caused me to think, that the Men of sense and decency of their party would condemn it; as a crude, partial, & ignorant production—& that tho' they might for political reasons, *wink* at its censure; I did not presume the head of any Departmt. would sanction & adopt the report as the rule of their office—I am really sorry to find there is reason to believe it otherwise, & that the present Head of the Treasury in the case of *Woodside* is disposed to give a new construction to the Law, so as to produce a clashing of opinion Between your Judgment & former decisions, and his own—If this difference of opinion on the meaning of a Law, arises alone from the honest & impartial Judgment of the Secretary, or is unconnected with any other cause or motive than a desire to construe Laws fairly, I can not think it should add to your inducements to leave the Department—of this you alone can best judge—But while you are permitted to think and act independently on your own Judgment and sentiments, & are treated with that delicacy aud attention due to your services, your Character & your situation, I m[ost] earnestly wish you to continue in office—If this is not the case I know you too Well, to suppose you would act with any set of Men.—

We have no news here, and were it not for the railings & abuse of Duane,[2] Callander, &c. against each other, we should consider the papers dull, but these fellows unfold some things worth knowing respecting the falsehood & knavery which has been going on among them, & are fulfilling two things, that Dog will eat Dog; and that when rogues fall out honest men come to their right—

I am Very certain you join me in regretting—sincerely regretting the fate of poor Spaight[3]. He has fallen a sacrifice to his own Violence of temper, for he might have adjusted his dispute with honor, without going to extremities—

Flour will probably continue about 5 to $7—Cotton from $12 to $15 pr. Cwt. picked—3 to 3 1-2 for

Seed—and indeed I fear all [classes] of produce will be low compared to late years—Shells are generally to be had here at 1-6 to 1-8 d pr. Bushl.—lime is dearer & scarce—

Mrs. Grove desires to be united with me in a tender of our best respects to yourself, & Family, and particularly to Miss Ann—[4]

Believe me my Dear Sir

With real esteem & regard

Yrs Sincerely—

W. B. Grove

John Steele Esqr.

NOTES.

[1] These fault-findings with the administration of the money department under President Adams came to nothing.

[2] Wm. Duane from 1795 to 1822 edited at Philadelphia the leading Democratic-Republican newspaper. A prosecution was started against him for libelling President Adams but was abandoned

Callender was also indicted under the Sedition Act for expressions used in a pamphlet called "The Prospect Before Us," and sentenced to nine months imprisonment and a fine of $200. A number of others were indicted, the prosecution of most of whom were abandoned.

[3] Richard Dobbs Spaight, son of a nephew of Governor Dobbs; Delegate to the Congress of the Confederation, 1782-'84; Delegate to the Constitutional Convention of 1787; Governor of North Carolina, 1792-'5; Representative in Congress 1798-1801; was killed in a duel by John Stanly 1802. He was then a Republican and Stanly a Federalist. The Federalists generally thought Spaight the aggressor and his adversary, in his petition for pardon, which was granted by Governor Williams, earnestly so contends.

[4] Steele's daughter, afterwards Mrs. Jesse A. Pearson.

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The Histories of Henry Adams, Tucker, Schouler, and Allison, have been consulted, and also the Congressional Directory, by Poore, the Annals of Congress, the North Carolina Acts of Assembly, and Jamieson's Dictionary of American History.